

Crowell Adds ITC-Focused Patent Partner From Kilpatrick

By Sarah Martinson

Law360 (October 9, 2020, 3:07 PM EDT) -- Crowell & Moring LLP has added a former Kilpatrick Townsend attorney, who has more than 15 years of experience helping companies protect their patents from infringement by foreign and domestic competitors, to co-lead its U.S. International Trade Commission practice in Washington, D.C.

Josh Pond, who joined Crowell & Moring as a partner Oct. 5, told Law360 on Wednesday that over the course of his career, the number of patent infringement complaints that are filed with the ITC has grown, requiring attorneys and law firms to have expertise in the area.



Josh Pond

Pond said that the surge in ITC complaints has allowed him to carve a niche for himself handling Section 337 investigations that the commission launches to probe whether foreign companies have infringed U.S. patents.

"I see myself as part of Crowell's initiative to grow smartly, particularly in international trade," Pond said.

Prior to joining Crowell & Moring, Pond represented numerous technology and telecommunication companies, including Broadcom Inc., Microsoft Corp. and LG Electronics Mobilecomm USA Inc., in district court litigation over patent infringement and in Section 337 investigations.

Pond said one of the most challenging cases he worked on in his career was defending semiconductor manufacturer Broadcom and seven of its customers in a Section 337 investigation while at Kilpatrick Townsend & Stockton LLP.

California-based Tessera Technologies Inc. had asked the ITC to launch a probe into allegations that Broadcom infringed its semiconductor patents. The companies **settled their dispute** in December 2017 by striking an agreement in which Broadcom agreed to license the patents from Tessera.

Pond said the case was challenging because Section 337 cases in the ITC move quickly, going from complaint to trial within 10 months, and he and his team needed to represent all of the interests of Broadcom and its customers.

"If Broadcom had lost, they faced the threat of having all of their imports blocked, and that would have included chips in each of the seven customers' products," Pond said.

Crowell & Moring Chair Philip Inghima said in an Oct. 6 statement that Pond "has a stellar reputation in the industry as a sophisticated ITC litigator."

"With the growing number of Section 337 actions, clients will benefit from his demonstrated experience and creativity as lead counsel across a variety of industry sectors in ITC investigations and IP litigation generally," Inghima said.

Pond earned his law degree from the Georgetown University Law Center.

--Editing by Abbie Sarfo.