



## Joshua Wyde

### OF COUNSEL

Joshua Wyde is a patent attorney who focuses on Patent and Trademark Appeal Board post-grant proceedings (PGRs and IPRs), federal patent, trademark, and copyright litigation, patent portfolio analysis, formal infringement/invalidity legal opinions, and IP licensing.



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An electrical engineer and entrepreneur, Mr. Wyde relies on his software and hardware experience to represent plaintiffs and defendants. He handles cases from pre-complaint investigation to a jury verdict.

Mr. Wyde spent years handling significant intellectual property matters at large law firms and managing his own successful practice before joining Alavi Anaipakos. He also has experience serving as a mediator following his training with the A.A. White Dispute Resolution Center.

Before his legal career, Mr. Wyde worked as an engineer at RadiSys Corp., Compaq Computer Corp., and NORTEL Networks Limited.



## Representative Cases

- *G & H Diversified Mfg., LP v. DynaEnergetics Europe GmbH; DynaEnergetics Europe GmbH et al v. NextTier Oilfield Solutions Inc.*; *G&H Diversified, LP v. DynaEnergetics Europe GmbH* – Secured a rare stay in the U.S. District Court for the Western District of Texas after getting an PGR instituted before the PTAB.
- *Repeat Precision, LLC v. G&H Diversified Manufacturing, LP* – Successfully avoided protracted and costly litigation with negotiated early business resolution.
- *Alaska Fuel Distributors Inc. v. Frac Shack Inc* – Against heavy odds (only 2 in 10 are successful), successfully amended patent claims in the IPR.
- *Frac Shack Inc. v. Atlas Oil Co.*; *Frac Shack Inc. V. Atlas Oil Co.*; *Fuel Automation Station v. Frac Shack Inc.* – After years of litigation regarding an innovative frac fueling system and method, which included defeating the defendants' IPR petition, Mr. Wyde forced a favorable settlement agreement soon before trial in a Colorado case and the weekend before the Monday where defendants were to be sanctioned in Texas. Mr. Wyde handled all aspects of these cases with one other lawyer.
- *In-Depth Test LLC* – Mr. Wyde defended the same patent against eight sequential attacks in the USPTO against large multinational law firms. He defeated all but one proceeding via convincing preliminary responses, whereby the Board denied institution and settled the remaining proceeding after deposing petitioner's expert.
- *Mishan & Sons, Inc v. Avenue Innovations, Inc.* – Mr. Wyde represented the patent owner against an IPR petition regarding a mechanical device known as the "HandyBar" for helping persons get in and out of a vehicle seat. He removed his client from the proceeding when the Board denied institution of the IPR trial on the merits.
- *Hailo Tech., LLC v. Mobisoft Infotech, LLC*, – Mr. Wyde defended a small company against allegations of patent infringement, by cost-effectively implementing a strategy of simultaneously signaling small reward and

great risk to continue to pursue his client. Plaintiff “blinked,” dismissing his client two days before defendant’s answer was due.

- *Fathers & Daughters Nevada, LLC v. Does 1–13* – Mr. Wyde filed this copyright litigation for movie producer Voltage Pictures against anonymous persons who had used BitTorrent to illegally copy his clients’ movies. He issued subpoenas to obtain the names of account holders at the time of infringement and negotiated settlements from many represented defendants while preparing to litigate if negotiations failed.
- *Reflectix, Inc. v. Promethean Insulation Tech. LLC* – By closely following the PTAB case law, Mr. Wyde recognized that petitioner failed to name a real party-in-interest in these five IPRs, and the panel agreed, declining to institute trial against any of his client’s patents.
- *NovelPoint Security LLC v. Dell Inc.*; *Dell Inc. v. NovelPoint Security LLC* – Corresponding litigation dismissed immediately after filing IPR petition with “killer art.”
- *Fujitsu Ltd. v. Belkin Int’l* – This case was listed by the San Francisco and Los Angeles Daily Journal among the Top California Defense Verdicts of 2012. Fujitsu’s patent was widely considered “bulletproof” because the U.S. Patent Office reexamined the patent’s validity two times after issuance, and the judge had ruled on summary judgment that our client had infringed the patent. After a three-week trial, the jury deliberated for less than five hours, concluding that there was no willful infringement, no damages, and that Fujitsu’s asserted claims were invalid. Mr. Wyde’s role was to oversee the winning invalidity aspect of the case.

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## Education

- University of Houston Law Center, JD, Magna Cum Laude, Law Review, Order of the Coif, Lex Award for Highest Grade in Contracts and Legal Writing
- University of Houston C.T. Bauer College of Business, BA (Certified Financial Planning Specialty), Certificate of Leadership from Dept. of Accountancy & Taxation
- Cullen College of Engineering, BS (Electrical Engineering), Honors College, Tau Beta Pi, Eta Kappa Nu; Texas Society of Professional Engineers Outstanding Senior

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## Awards & Honors

- The Best Lawyers in America (2024-present)
- Texas Super Lawyers Rising Stars (2015-2017)

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## Professional Affiliations

- State Bar of Texas
- United States Court of Appeals for the Federal Circuit
- United States District Court for the Southern District of Texas
- United States District Court for the Eastern District of Texas
- United States District Court for the Western District of Texas
- United States District Court for the District of Colorado
- Patent Bar – USPTO

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## Books & Patents

- Patent Office Post Grant Proceedings (4th ed.), ISBN 978-1-7321136-4-0 (285 pgs.)
  - U.S. Patent No. 8,051,303 re Secure Read and Write Access to Configuration Registers
  - U.S. Patent No. 6,138,222 titled Accessing High Capacity Storage Devices
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