



David A. Boag

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PRACTICE AREAS

- Alternative Dispute
- Anti-Counterfeiting
- Copyright
- Intellectual Property Litigation
- International Trade Commission
- Patent
- Strategic Counseling
- Trade Dress
- Trademark

INDUSTRIES

- Computer Hardware and Software
- Consumer Electronics
- Financial Services
- Green Technology and Energy
- Internet and e-Commerce
- MEMS & Semiconductors
- Motors, Machinery & Other Mechanical Devices
- Retailing & Apparel
- Life Sciences & Biotechnology
- Toys & Games
- Universities & Research Institutions
- Mobile Devices & Wireless

David A. Boag practices in all areas of intellectual property law, with an emphasis on multi-defendant patent litigation. He has experience handling patent litigation involving image compression, video compression, hard disk spindle motors, and plastics. David prepares non-infringement and invalidity opinions for clients on a wide range of subject matter that includes compression technology, semiconductors, computer architecture, motors, toys, household goods, and children's products.

David received his law degree from the Benjamin N. Cardozo School of Law at Yeshiva University and his undergraduate degree in computer science from the State University of New York at Buffalo.

Prior to law school, he worked as a software developer for the Center for Development of Human Services, a non-profit organization in Buffalo, New York.

BAR ADMISSIONS

- U.S. District Court, Southern District of New York, 2003
- U.S. Patent and Trademark Office, 2003
- New York, 2002
- New Jersey, 2001

EDUCATION

- Yeshiva University, Benjamin N. Cardozo School of Law, New York, NY, J.D., Moot Court Honor Society, 2001
- State University of New York at Buffalo, NY, B.A., Computer Science, 1997

REPRESENTATIVE CASES

- *Nidec Corp. v. Victor Company of Japan*, et al., No. 05-686 (N.D. Cal. filed Feb. 15, 2005)
- *In re Compression Labs, Inc.* Patent Litigation, MDL No. 1654 (N.D. Cal. filed April 22, 2004)

David is admitted to practice in New York and New Jersey and the U.S. District Court for the Southern District of New York. He is also registered to practice before the United States Patent and Trademark Office. He began his career as a summer associate at Amster Rothstein & Ebenstein LLP.

PUBLISHED WORKS

- **ARE Patent Litigation Alert:**
U.S. Supreme Court Addresses Knowledge Element of Claims for Inducing Patent Infringement
June 1, 2011
- **ARE Litigation Alert:**
U.S. Supreme Court Finds Prometheus Method of Diagnosing and/or Treating Unpatentable Law of Nature
March 20, 2012
- **ARE Patent Law Alert:**
Federal Circuit Holds That False Marking Must Be Pled With Particularity Under Fed. R. Civ. P. Rule 9(b)
March 16, 2011
- **ARE Patent Law Alert**
Ohio District Court Finds False Marking Statute To Be Unconstitutional
February 24, 2011
- **ARE Patent Litigation Alert:**
U.S. Supreme Court Agrees to Address Law of Inducement
October 14, 2010
- **ARE Patent Law Alert:**
“Any” Person Has Standing For False Marking Claim
September 7, 2010
- **ARE Patent Law Alert:**
***TiVo v. EchoStar*: Federal Circuit Revising The Standard for Contempt of Injunction En Banc**
May 14, 2010
- **Increase of False Patent Marking Litigation (available only in Japanese)**
- Nikkei BP Chizai Awareness, April 26, 2010
- **ARE Patent Law Alert:**
Federal District Courts in Texas Have Begun to See The First of What Could Be a Wave of Lawsuits Alleging False Patent Marking in Violation of 35 U.S.C § 292
February 25, 2010

REPRESENTATIVE CASES CONT.

- *Display Technologies, LLC v. Mechtronics Corp.*, No. 02-CV-9465 (S.D.N.Y. filed Nov. 26, 2002)

PUBLISHED WORKS CONT.

- **ARE Patent Law Alert:**
Federal Circuit Confirms That Fines for False Patent Marking are to be Imposed for Each Unit Falsely Marked
January 6, 2010
- **ARE Patent Litigation Alert:**
FTC Closes Rambus Investigation
May 14, 2009
- **ARE Patent Law Alert:**
Bilski: The Court Announces Machine or Transformation Test as “Governing” Test
October 30, 2008
- **The “Machine-Or-Transformation Test” For Processes**
- IP Law360, October 30, 2008
- **Transferring Cases Out of Eastern Dist. Of Texas**
- IP Law360, October 15, 2008
- ***Egyptian Goddess v. Swisa*: Revising The Test**
- IP Law360, September 23, 2008