






Benjamin Thompson

Principal

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Overview

About Ben

Ben Thompson is a principal in the Atlanta office of Fish & Richardson P.C. His practice focuses on representing clients in patent litigation, including actions filed in U.S. district courts across the country and at the International Trade Commission (ITC). He also has experience arguing before the U.S. Court of Appeals for the Federal Circuit. In recognition of his achievements at the ITC, Law360 recently identified Mr. Thompson as a 2019 Rising Star in international trade law—an honor awarded to only four practitioners in the country who were considered the top legal talent under 40 in this field. Mr. Thompson has also consistently been named a Super Lawyers Rising Star from 2013-2019 in the field of intellectual property litigation and was named to the 2021 “Best Lawyers in America” list by *The Best Lawyers in America*®.

Mr. Thompson’s litigation experience includes work with varying technologies, including, e.g., tunable lasers, consumer electronics, portable device power management, object-relational mapping technology, microprocessor design and operation, data aggregation software, and digital image processing technology. He also has substantial litigation experience representing clients in litigations concerning computer network security and data encryption.

In addition to Mr. Thompson’s litigation work, he is a registered patent attorney who assists clients in post-grant proceedings before the Patent Trial and Appeal Board.

Prior to entering the practice of law, Mr. Thompson worked as a software developer for a company specializing in mission-critical technology solutions for the U.S. Department of Defense. Through this professional experience, and education, Mr. Thompson is proficient in multiple software programming languages.

Focus Areas

Services

- Litigation
- Post-Grant
- ITC Litigation
- Patent Litigation

Industries

- Consumer Products
- Electrical and Computer Technology
- Internet
- Software
- Telecommunications

Education

J.D. *with honors*, University of North Carolina at Chapel Hill School of Law (2008) Staff Writer, *Journal of Law and Technology*

B.S. *cum laude*, Computer Science Engineering, North Carolina State University (2002)

Experience

VirnetX v. Microsoft (E.D. Tex. 2013) – Counsel to Microsoft in litigation related to network communications.

Leon Stambler v. Ally Bank (E.D. Tex. 2012); *Leon Stambler v. Amazon.com* (E.D. Tex. 2009) – Counsel to the Federal Reserve Banks, First Citizens, Expedia, Hotels.com, Ticketmaster, and Travelocity in patent litigations related to standardized encryption protocols.

In the Matter of Certain Consumer Electronics Including Mobile Phones and Tablets, 337-TA-839 (ITC)

2012) – Counsel for Samsung in ITC investigation related to mobile phones and tablets.

DataTern, Inc. v. Abbott Labs., et al. (E.D. Tex. 2011) – Counsel to Hewlett Packard in litigation concerning software for interfacing with relational databases.

DataTern, Inc. v. MicroStrategy, Inc. (D. Mass. 2011) – Counsel to defendant MicroStrategy in litigation targeting client's business intelligence software. Obtained judgment of no-infringement in district court; currently on appeal before Federal Circuit.

Implicit Networks v. Hewlett-Packard (N.D. Cal. 2010) – Counsel to Hewlett Packard in litigation related to application server technology.

Broadcom Corp. v. Emulex Corp. (C.D. Cal. 2009) – In multi-patent litigation involving different networking technologies, won summary judgment of patent exhaustion and won jury verdict of no infringement on behalf of Emulex; currently on appeal before Federal Circuit.

TQP Development v. Barclays PLC (E.D. Tex. 2009) – Counsel to Barclays in patent litigation related to encryption algorithms employed over the Internet.

In the Matter of Certain Tunable Laser Chips, Assemblies, and Products Containing Same, 337 TA 662 (2008) – Counsel to Syntune AB and CyOptics Inc. in patent infringement investigation concerning tunable laser chips and related components.

LG Electronics v. Petters Group Worldwide, LLC, et al. (E.D. Tex. 2008) – Counsel to LG Electronics in patent infringement suit concerning flat panel television products.

Recognition

- Named as one of the “Best Lawyers in America” by *The Best Lawyers in America*© (2022)
- Recognized as a *Law360* Rising Star (2019)
- Recognized as a *Super Lawyers* Rising Star (2013-2017)