



Daniel A. Tishman

Principal
Washington, D.C.
202 626 7725
tishman@fr.com

Overview

Daniel Tishman represents both plaintiffs and defendants in complex patent litigation in federal District Courts and before the U.S. International Trade Commission.

Representing major global clients in District Court and before the ITC, Dan has asserted and defended infringement claims in multi-patent cases involving wide-ranging technologies. He has participated in nearly a dozen trials, achieving favorable verdicts and settlements involving consumer electronics, batteries, hybrid electric vehicles, and more.

Dan's broad patent litigation experience includes all phases of cases, from pre-suit investigations to fact and expert discovery, claim construction, dispositive motions, trials, and appeals. In addition to handling patent cases in District Court and before the ITC, Dan is experienced in representing petitioners and patent owners in post-grant proceedings and before the U.S. Customs & Border Patrol in proceedings pursuant to 19 C.F.R. Part 177. Dan also provides strategic counsel to clients in the battery, consumer electronics, chemical, semiconductor, and automotive industries.

From 2011-2013, Dan served as a judicial clerk for the Honorable Yvette Kane of the United States District Court for the Middle District of Pennsylvania. Before law school, Dan worked as an IBM technology specialist intern.

Experience

ITC

Certain Semiconductor Devices, Mobile Devices Containing the Same, and Components Thereof, Inv. 337-TA-1336 (ITC) – Represented respondents Samsung Electronics Co., Ltd. et al. in multi-patent infringement case involving semiconductor manufacturing technology. Favorable settlement.

Represented a Fortune 100 consumer electronics company in a multi-patent infringement case involving switchable connectivity technology. Favorable settlement.

Certain Lithium Ion Battery Cells, Battery Modules, Battery Packs, Components Thereof, and Products Containing Same, Inv. 337-TA-1181 (ITC) – Represented complainants LG Chem and Toray Industries in patent infringement case. Favorable settlement.

Certain Pouch-Type Battery Cells, Battery Modules, Battery Packs, Components Thereof, and Products Containing Same, Inv. 337-TA-1179 (ITC) – Represented LG Chem respondents in patent infringement case. Favorable settlement.

Certain Subsea Telecommunication Systems and Components Thereof, Inv. 337-TA-1098 (ITC) – Represented respondent NEC

against complainant Xtera in multi-patent case involving subsea telecommunication systems. Following trial, obtained determination of no violation.

Certain Batteries and Electrochemical Devices Containing Composite Separators, Components Thereof, and Products Containing Same, Inv. No. 337-TA-1087 (ITC) – Represented complainants LG Chem and Toray against respondent ATL in multi-patent case involving lithium ion battery technology. Favorable settlement following trial.

Certain Hybrid Electric Vehicles and Components Thereof, Inv. No. 337-TA-1042 (ITC) – Represented complainants Paice and Abell against Ford in multi-patent case involving hybrid-electric vehicles. Favorable settlement following trial.

Certain Hybrid Electric Vehicles and Components Thereof, Inv. No. 337-TA-998 (ITC) – Represented complainants Paice and Abell against Volkswagen, Audi, and Porsche in multi-patent case involving hybrid-electric vehicles. Favorable settlement.

Certain Automated Teller Machines, ATM Modules, Components Thereof, and Products Containing Same, Inv. No. 337-TA-972 (ITC) – Represented respondent Nautilus Hyosung against Diebold in multi-patent infringement case involving a wide array of technology associated with ATMs. Obtained finding of non-infringement as to certain products.

Certain Television Sets, Televisions Receivers, Television Tuners, and Components Thereof, Inv. No. 337-TA-910 (ITC) – Represented respondent LG in ITC investigation against complainant CrestaTech in multi-patent infringement case involving television tuner technology. Following trial, obtained determination of no violation.

Certain Microelectromechanical Systems (“MEMS Devices”) and Products Containing the Same, Inv. No. 337-TA-876 (ITC) – Represented respondent InvenSense against complainant STMicroelectronics in multi-patent infringement case involving MEMS technology. Favorable settlement during trial.

U.S. District Court

Aire Technology Ltd. v. Samsung Electronics Co., Ltd. et al. (W.D. Tex. 2021) (J. Albright) – Representing defendants in multi-patent infringement case involving contactless payment technology. Favorable settlement.

Theta IP, LLC v. Samsung Electronics Co., Ltd. et al. (W.D. Tex. 2020) (J. Albright) – Representing defendants in multi-patent infringement case involving transceiver technology. Favorable settlement on the first day of trial.

Acorn Semi, LLC v. Samsung Electronics Co., Ltd. et al. (E.D. Tex. 2019) (J. Gilstrap) – Representing defendants in multi-patent infringement case involving semiconductor fabrication technology. Favorable settlement following trial.

LG Chem, Ltd. and Toray Industries, Inc. v. SK Innovation Co., Ltd. and SK Battery America, Inc. (D. Del. 2019) (J. Connolly)— Represented plaintiffs in multi-patent infringement case involving lithium-ion battery technology. Favorable settlement.

SK Innovation Co., Ltd. v. LG Chem Ltd., LG Chem Michigan, Inc. and LG Electronics, Inc.(D. Del. 2019) (J. Connolly) – Represented defendants in patent infringement case involving battery technology. Favorable settlement.

SK Innovation Co., Ltd. v. LG Chem Ltd. and LG Chem Michigan, Inc.(D. Del. 2019) (J. Connolly) – Represented LG Chem in patent infringement case involving battery technology. Favorable settlement.

SK Innovation Co., Ltd. v. LG Chem Ltd., LG Chem Michigan, Inc. and LG Electronics, Inc.(D. Del. 2019) (J. Connolly) – Represented LG Chem in patent infringement case involving battery technology. Favorable settlement.

Parker v. Reema Consulting Services, Inc. (D. Md. 2017) (J. Albright) – Represented plaintiff in gender discrimination lawsuit (pro bono). Jury trial verdict of \$725,000 in compensatory and punitive damages (see [link](#)).

LG Chem, Ltd. and Toray Industries, Inc. v. Amperex Technology Ltd. (E.D. Mich. 2017) (J. Lawson) – Represented plaintiffs in multi-patent infringement case involving lithium-ion battery technology. Favorable settlement.

Realtime Adaptive Streaming LLC v. Sling TV L.L.C. et al. (D. Col. 2017) – Represented defendants Sling and DISH in patent litigation regarding compression technology. Summary judgment of invalidity granted in favor of clients.

Immersion Corp. v. Samsung Electronics (E.D. Tex.) – Represented defendant Samsung Electronics in multi-patent case involving haptics technology. Favorable settlement.

Paice LLC v. Hyundai Motor Co., et al. (D. Md.) – Represented Paice and Abell in multi-patent infringement case involving hybrid-electric vehicles. Favorable settlement following trial, after obtaining \$28.9 million verdict and finding of willfulness for client Paice and Abell.

SEVEN Networks v. Samsung Electronics (E.D. Tex.) – Represented defendant Samsung Electronics in multi-patent infringement case involving consumer electronics technologies related to power usage algorithms. Favorable settlement.

IMS Health Inc. v. Symphony Health Solutions, Corp. et al. (D. Del.) – Represented IMS Health in multi-patent infringement case involving healthcare analytics and informatics. Favorable settlement.

Ericsson v. Samsung Electronics (E.D. Tex.) – Represented defendant Samsung Electronics in multi-patent infringement case involving a wide array of consumer electronics technologies. Favorable settlement.

Recognitions & awards

D.C. Rising Star

National Law Journal (NLJ) 2024

Professional associations

Washington Lawyers' Committee for the Civil Rights, Board of Directors (2022-Present)

ITC TLA, Executive Committee

Giles S. Rich American Inn of Court, Member

Pro bono activities

Dan is dedicated to pro bono causes, particularly those concerning workplace discrimination and immigration. He serves as the pro bono coordinating attorney for the firm's Washington, D.C., office.

Case work

- Together with the Washington Lawyers' Committee for Civil Rights and Urban Affairs, Dan helped secure the [reversal of a District Court decision](#) that had dismissed his client's workplace discrimination case. The result revived claims alleging hostile work environment and retaliatory termination.

Organizations

- Washington Lawyers' Committee, Board of Directors

Insights

Blog | January 21, 2025

How Standardization, SEPs, and Patent Pools Can Benefit the EV and Battery Industries

Webinar | May 1, 2024

How Standardization, SEPs, and Patent Pools Can Benefit the EV and Battery Industries

Article | January 4, 2023

ITC Year in Review

Blog | September 14, 2022

ITC Monthly Wrap-Up: August 2022

Webinar | September 8, 2022

Navigating ITC Investigations: What You Need to Know Before Institution and After Initial Determination

Article | August 25, 2022

Two ITC Investigations Highlight Different Avenues for Early Disposition

Blog | June 13, 2022

ITC Monthly Wrap-Up: May 2022 — Two Investigations Highlight Different Avenues for Early Disposition

Webinar | February 10, 2022

Strategic IP Considerations of Batteries and Energy Storage Solutions

Article | January 5, 2022

Strategic IP Considerations of Batteries and Energy Storage Solutions

Article | December 13, 2021

Powering up

Blog | October 5, 2021

ITC Monthly Wrap-Up: September 2021

Article | September 22, 2021

Navigating Bar To Patentability In 3rd-Party Secret Sales

Article | September 1, 2021

Strategic IP Considerations of Batteries and Energy Storage Solutions

Blog | July 24, 2015

PTAB's Construction Must Be "Reasonable" In Light of All Intrinsic Evidence, PTAB May Require Patentee to Show Amended Claims Are Patentable Over All Prior...

Blog | July 24, 2015

District Courts Deciding Whether to Modify a Protective Order to Allow U.S. Discovery to Be Used in Foreign Litigation Must Consider Factors Relevant to...

News

Media Coverage | February 13, 2025

Principals Won Yoon, Hyun Jin In, and Daniel Tishman Discuss the Role of Standardization in Future Mobility

MLex

News | October 17, 2024

National Law Journal Names Principal Daniel Tishman a D.C. Rising Star

News | May 6, 2024

18 Fish & Richardson Attorneys Recognized by D.C. Courts in the 2023 Capital Pro Bono Honor Roll

News | June 16, 2022

26 Fish & Richardson Attorneys Named to the 2021 Capital Pro Bono Honor Roll

News | December 14, 2021

Fish & Richardson Pro Bono Team Wins Jury Verdict for Female Employee in Sex Discrimination Lawsuit

News | April 7, 2021

Thirty Fish Attorneys Named to 2020 Capital Pro Bono Honor Roll

News | February 15, 2019

Fish & Richardson and Washington Lawyers' Committee for Civil Rights and Urban Affairs Win Landmark Decision in Gender Discrimination Case

Events

December 7, 2023

2023 WIPS User Conference

March 20, 2023

40th Annual International Battery Seminar and Exhibit

March 31, 2022

International Battery Seminar and Exhibit 2022

November 9, 2021

ACC National Capital Region | Infringement for In-House Counsel

Additional insights

Publications

- “Powering up,” *Intellectual Property Magazine* (December 2021/January 2022 issue)
- “[Navigating Bar To Patentability In 3rd-Party Secret Sales](#),” *Law360* (September 21, 2021)

Speaking engagements

- “[ACC NCR Infringement for In-House Counsel](#),” *ACC National Capital Region CLE Presentation* (November 9, 2021)
- “Energizing Innovation: A Discussion of IP in The Battery Business,” *Battery Brunch* (October 16, 2021)
- “Battery Battles: A Discussion of Recent IP Litigation in the Battery Business,” *Battery Brunch* (August 28, 2021)
- “Winning Expert Strategies at the ITC,” Practitioners’ Think Tank on ITC Litigation and Enforcement, *American Conference Institute* (July 28, 2021)

Media mentions

- “[Pro Bono Spotlight: Daniel Tishman of Fish & Richardson](#),” *ABA Center for Pro Bono Exchange* (December 22, 2021)
 - “[High Court Won’t Consider 4th Circ.’s Sex Gossip Bias Ruling](#),” *Law360* (October 2019)
-

Services

Litigation

Patent Litigation

Appellate

Industries

Electrical & Computer Technology

Software & Internet

Consumer Electronics

Telecommunications

Cleantech

Admissions

U.S. District Court for the District of Colorado (2021)

U.S. District Court for the Western District of Texas (2019)

U.S. District Court for the Eastern District of Texas (2018)
U.S. Court of Appeals for the Fourth Circuit (2018)
U.S. District Court for the District of Columbia (2017)
Supreme Court of the United States (2017)
U.S. Court of Appeals for the Federal Circuit (2016)
District of Columbia (2014)

Clerkships

U.S. District Court for the Middle District of Pennsylvania, The Honorable Yvette Kane (2011-2013)

Education

J.D. *summa cum laude*, Order of the Coif, Tulane University Law School (2011) Managing Editor, *Tulane Law Review*
B.S. *cum laude*, Information Science and Technology, Pennsylvania State University (2007) French and Francophone Studies minor