




Michael T. Hawkins

Principal

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Overview

About Mike

Michael T. Hawkins is a principal in the Twin Cities office of Fish & Richardson P.C. His practice emphasizes post-grant proceedings, pre-suit investigations, U.S. and foreign patent portfolio strategy and management, patentability analysis, clearance investigations, intellectual property licensing and agreements, and due diligence investigations. Mr. Hawkins is a specialist in *inter partes* reviews/post-grant proceedings, representing both patent owners and third party challengers in numerous proceedings, including serving as lead counsel for Google, ResMed, Huawei, Samsung, Microsoft, and Arctic Cat in various post-grant proceedings. He develops strategic, cost-effective solutions for these clients to achieve their business goals and/or litigation objectives/settlements. Not only does Mr. Hawkins represent a number of Fortune 100 companies, but his work also focuses on strategic counseling for emerging companies to develop a comprehensive approach to intellectual property, such as conducting freedom to operate studies, obtaining patent protection in the U.S. and abroad, and planning defensive and offensive strategies. In addition to his victories in his field, Mr. Hawkins was recognized in “The World’s Leading Patent Practitioners” by *IAM Patent 1000*, where he was singled out nationally as a leading attorney for post-grant proceedings (2020). He has also been recognized as an “Up & Coming” lawyer by *Minnesota Lawyer*, and as a “Rising Star” by *Super Lawyers Magazine (Minnesota 2016)*.

Focus Areas

Services

- IP Licensing, Transactions, and Agreements
- Patent
- Post-Grant
- Opinions and Strategic Counseling
- Patent Portfolio Management
- Patent Prosecution
- Appellate
- Patent Litigation

Industries

- Consumer Products
- Financial and Business Services
- Hardware
- Internet
- Manufacturing
- Medical Devices
- Optics
- Semiconductors
- Software
- Telecommunications
- Transportation

Education

J.D. *magna cum laude*, University of Minnesota Law School (2004) Managing Editor, *Minnesota Law Review*

B.S. *with high distinction*, Mechanical Engineering, University of Minnesota (2000)

Experience

Post-Grant Proceedings

Nokia Solutions and Networks OY, et al. v. Huawei Technologies Co. Ltd., IPR2017-00592

Nokia Solutions and Networks OY, et al. v. Huawei Technologies Co. Ltd., IPR2017-00593

Nokia Solutions and Networks OY, et al. v. Huawei Technologies Co. Ltd., IPR2017-00590

Nokia Solutions and Networks OY, et al. v. Huawei Technologies Co. Ltd., IPR2017-00591

Nokia Solutions and Networks OY, et al. v. Huawei Technologies Co. Ltd., IPR2017-00673

Nokia Solutions and Networks OY, et al. v. Huawei Technologies Co. Ltd., IPR2017-00698

Nokia Solutions and Networks OY, et al. v. Huawei Technologies Co. Ltd., IPR2017-00671

Nokia Solutions and Networks OY, et al. v. Huawei Technologies Co. Ltd., IPR2017-00658

Nokia Solutions and Networks OY, et al. v. Huawei Technologies Co. Ltd., IPR2017-00675

Google Inc., et al.v. Makor Issues & Rights Ltd., IPR2017-00815

Google Inc., et al.v. Makor Issues & Rights Ltd., IPR2017-00816

Google Inc., et al.v. Makor Issues & Rights Ltd., IPR2017-00817

Google Inc., et al.v. Makor Issues & Rights Ltd., IPR2017-00818

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01729

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01725

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01719

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01716

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01735

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01727

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01734

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01731

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01730

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01726

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01718

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01714

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01723

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01717

ResMed Corp., et al. v. Fisher & Paykel Healthcare Ltd., IPR2016-01724

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-01658

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-01659

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00632

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00634

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00635

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00501

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00504

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00340

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00272

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00215

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00218

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00061

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00062

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00064

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00065

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00057

Fisher & Paykel Healthcare Ltd. v. ResMed Ltd., IPR2017-00059

Google Inc. v. Mobile Telecommunications Technologies, LLC, IPR2017-00559

Google Inc. v. Mobile Telecommunications Technologies, LLC, IPR2017-00537

Google Inc. v. Mobile Telecommunications Technologies, LLC, IPR2017-00536

Google Inc. v. Mobile Telecommunications Technologies, LLC, IPR2017-00535

Google Inc. v. Mobile Telecommunications Technologies, LLC, IPR2017-00534

Google Inc. v. Mobile Telecommunications Technologies, LLC, IPR2017-00533

Google Inc. v. Mobile Telecommunications Technologies, LLC, IPR2017-00532

Google Inc. v. Mobile Telecommunications Technologies, LLC, IPR2017-00530

Google Inc. v. Mobile Telecommunications Technologies, LLC, IPR2017-00529

Arctic Cat Inc. v. Polaris Industries Inc., IPR2017-00455

Arctic Cat Inc. v. Polaris Industries Inc., IPR2017-00433

Arctic Cat Inc. v. Polaris Industries Inc., IPR2017-00199

Google Inc. v. Makor Issues, IPR2016-01537

Google Inc. v. Makor Issues, IPR2016-01536

Google Inc. v. Makor Issues, IPR2016-01535

Google Inc. v. Klaustech, IAG., CBM2016-00096

Microsoft Corporation v. Corel Software, LLC, IPR2016-01300

Microsoft Corporation v. Corel Software, LLC, IPR2016-01086

Microsoft Corporation v. Corel Software, LLC, IPR2016-01085

Microsoft Corporation v. Corel Software, LLC, IPR2016-01084

Microsoft Corporation v. Corel Software, LLC, IPR2016-01083

Google Inc. v. Porto Technology Co. Ltd., IPR2016-00045

Google Inc. v. Porto Technology Co. Ltd., IPR2016-00022

Arctic Cat Inc. v. Polaris Industries Inc., IPR2015-01789

Arctic Cat Inc. v. Polaris Industries Inc., IPR2015-01788

Arctic Cat Inc. v. Polaris Industries Inc., IPR2015-01783

Arctic Cat Inc. v. Polaris Industries Inc., IPR2015-01781

Google Inc. et al. v. American Navigational Systems, Inc., IPR2015-00851

Google Inc. et al. v. American Navigational Systems, Inc., IPR2015-00849

Arctic Cat Inc. v. Polaris Industries Inc., IPR Case No. IPR2014-01427

Arctic Cat Inc. v. Polaris Industries Inc., IPR Case No. IPR2014-01428

Google Inc. v. Visual Real Estate, Inc., IPR Case No. IPR2014-01338

Google Inc. v. Visual Real Estate, Inc., IPR Case No. IPR2014-01339

Google Inc. v. Visual Real Estate, Inc., IPR Case No. IPR2014-01340

Google Inc. v. Visual Real Estate, Inc., IPR Case No. IPR2014-01341

Google Inc. v. MicroGrafx LLC, IPR Case No. IPR2014-00532

Google Inc. v. MicroGrafx LLC, IPR Case No. IPR2014-00533

Google Inc. v. MicroGrafx LLC, IPR Case No. IPR2014-00534

NuVasive, Inc. v. Warsaw Orthopedic, Inc., IPR Case No. IPR-201300208

NuVasive, Inc. v. Warsaw Orthopedic, Inc., IPR Case No. IPR-201300206

NuVasive, Inc. v. Warsaw Orthopedic, Inc., IPR Case No. IPR-201300395

NuVasive, Inc. v. Warsaw Orthopedic, Inc., IPR Case No. IPR-201300396

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR-201300504

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR-201300506

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR-201300487

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR-201300507

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR-2013-00508

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR 2014-00034

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR 2014-00035

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR 2014-00071

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR 2014-00073

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR 2014-00074

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR 2014-00075

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR 2014-00076

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR 2014-00081

Medtronic, Inc. v. NuVasive, Inc., IPR Case No. IPR 2014-00087

Continental Automotive Systems, Inc. v. Wasica Finance GMBH et. al., IPR Case No. IPR 2014-00295

Continental Automotive Systems, Inc. v. Wasica Finance GMBH et. al., IPR Case No. IPR2014-01454

Schrader Int'l, Inc. et. al. v. Wasica Finance GMBH et. al., IPR Case No. IPR 2014-00476

Schrader Int'l, Inc. et. al. v. Wasica Finance GMBH et. al., IPR Case No. IPR2015-00272

Reexamination Proceedings

Google Inc. v. Intertainer, Inc., Control No. 95/000,313

Google Inc. v. Streetspace, Inc., Control No. 95/001,763

Requester v. Klaustech, Inc., Control No. 90/011,303

Requester v. Suffolk Technologies LLC, Control No. 90/012,714

Requester v. Suffolk Technologies LLC, Control No. 90/012,427

NuVasive, Inc. v. Warsaw Orthopedic, Inc., Control No. 95/000,451

NuVasive, Inc. v. Warsaw Orthopedic, Inc., Control No. 95/000,449

NuVasive, Inc. v. Warsaw Orthopedic, Inc., Control No. 95/000,448

NuVasive, Inc. v. Warsaw Orthopedic, Inc., Control No. 95/000,446

NuVasive, Inc. v. Warsaw Orthopedic, Inc., Control No. 95/002,346

Medtronic, Inc. v. NuVasive, Inc., Control No. 95/001,247

Medtronic, Inc. v. NuVasive, Inc., Control No. 95/001,202

Nest Labs, Inc. v. Honeywell Int'l, Inc., Control No. 95/002,040

Nest Labs, Inc. v. Honeywell Int'l, Inc., Control No. 95/002,041

USTC LLC v. Horian, Control No. 95/000,134

Kwiktwist Int'l, Inc. v. Handle It LLC, Control No. 90/007,077 (power of attorney after close of prosecution)

Insights

Publications

- “What the PTAB Precedent Panel Said in Its First Decision,” *Law360* (April 2, 2019)
- “Implementing Strategies for an Offensive Patent Portfolio,” *Journal of Industrial Biotechnology*, Vol. 6, No. 3 pp. 141-43 (2010)
- “Prosecution Laches in the Wake of *Symbol Technologies*: What is ‘Unreasonable and Unexplained’ Delay?” *87 Minn. L. Rev.* 1621 (2003)

Speaking Engagements

- “Techniques For Achieving An Efficient And Effective Freedom-to-Operate Analysis” *Fish Webinar* (June 3, 2020)
- “How Do Supreme Court Decisions Really Affect Patent Applicants? A Statistical Analysis” *Patents on Tap*

(November 29, 2018)

- “Overview of IPRs and Post-grant Proceedings” (October 12, 2018)
- “The Upcoming Supreme Court Decision in *Helsinn v. Teva*: Can Secret Sales Invalidate a Patent?” *Patents on Tap* (September 13, 2018)
- “Berkheimer v. HP: A Favorable Shift for Software and Medical Methodology Patents?” *Fish Webinar* (July 19, 2018)
- “Berkheimer v. HP: A Favorable Shift for Software and Medical Methodology Patents?” *Patents on Tap* (June 21, 2018)
- “Overview of IPRs and Post-grant Proceedings” (April 9, 2018)

Media Mentions

- Quoted, “Ban on IPR Time-Bar Tricks Will Spur New Strategies,” *Law360* (March 20, 2020)
- Quoted, “PTAB Rulings Show Potential New Way To Defeat AIA Reviews,” *Law360* (April 9, 2019)
- Quoted, “Checking In On SAS Institute 6 Months Later,” *Law360* (November 30, 2018)
- Quoted, “6 Weeks After SAS Institute: Here’s What We Know,” *Law360* (June 8, 2018)
- Named, “PTAB Agrees to Review Part of Polaris ATV Patent,” *Law360* (July 5, 2017)
- Named, “PTAB Invalidates Claims In Polaris ATV Patent,” *Law360* (January 31, 2017)
- Named, “*Law360*’s Weekly Verdict: Legal Lions & Lambs,” *Law360* (December 1, 2016)
- Named, “Fed. Circ. Backs Google, Samsung PTAB Win On Graphics IP,” *Law360* (November 29, 2016)
- Named, “Apple, Google, Samsung Get Mapping Patent Win At PTAB,” *Law360* (September 21, 2016)
- Named, “Arctic Cat Wins Ax of Rival’s ATV Patent Claims at PTAB,” *Law360* (February 4, 2016)
- Named, “Google, Samsung Get Graphics Patents Axed in AIA Review,” *Law360* (June 17, 2015)
- Quoted, “Apple, Samsung, Lead Charge to Kill Infringement Lawsuits by Going to Patent Office,” *Daily Journal* (June 4, 2015)
- Named, “Google, Samsung Get Another Micrografx Patent Axed,” *Law360* (July 22, 2015)
- Named, “PTAB Nixes Warsaw Spine Implant Patent in AIA Review,” *Law360* (December 22, 2014)

Recognition

- Named a “Leading Patent Professional” and recommended for post-grant proceedings by *IAM Patent 1000* (2020-2022)
- Recognized as a “Rising Star – Minnesota” by *Super Lawyers* (2016-2017)
- Recognized as “Up & Coming Lawyer” by *Minnesota Lawyer* (2013)