






# Rob Courtney

## Principal

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## Overview

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### About Rob

Rob Courtney is a principal in the Twin Cities office of Fish & Richardson P.C. His practice emphasizes patent litigation in the areas of electrical engineering and information technology. Mr. Courtney's litigation experience includes numerous matters in U.S. district courts and before the U.S. International Trade Commission. Mr. Courtney has handled cases involving consumer electronics, sintered rare earth magnets, semiconductors, identity management, interactive entertainment, computer networking, and cryptography. Mr. Courtney has experience in all phases of litigation, including pre-filing practice, discovery, summary judgment, trial, post-trial, and appeal.

Mr. Courtney also has experience as a judicial clerk at the U.S. Court of Appeals for the Federal Circuit, where he worked for the Honorable Raymond C. Clevenger III (2011–12) and the Honorable Sharon Prost (2011).

Prior to attending law school, Mr. Courtney worked at the Center for Democracy & Technology (2000–2003) as a lobbyist and analyst for digital copyright, internet governance, privacy, and spam. As a law student, he worked at Google Inc., on intellectual property and legislative policy issues.

## Focus Areas

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### Services

- Litigation
- ITC Litigation

- Patent Litigation

## Education

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J.D. *with distinction*, Stanford Law School (2006) Editor-in-Chief, *Stanford Technology Law Review*

B.A. *cum laude*, History, Dartmouth College (2000)

## Insights

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Mr. Courtney is the lead author of Fish's Federal Circuit Summaries Tracker.

### Selected Publications

"Assignor Estoppel Case Could Fuel More Patent Attacks," quoted, *Law360* (January 12, 2021).

*Ordered method claim does not bar partly-simultaneous performance of steps*, Fish Litigation Blog (2015).

*Claims covering basic detection of naturally-occurring compound, however scientifically significant, not patent eligible*, Fish Litigation Blog (2015).

*Use of generic computer functions to make traditional economic method more efficient does not confer patent eligibility*, Fish Litigation Blog (2015).

*No foreseeability exception to doctrine of equivalents*, Fish Litigation Blog (2014).

*Supreme Court to evaluate appellate standards for fee-shifting in patent cases*, Fish Litigation Blog (2013).

*Evolving Hazardous Waste Policy for the Digital Era*, 25 *Stan. Env. L.J.* 199 (2006).

### Presentations

"Post-Grant for Practitioners Webinar | Just the Facts – A Mid-Year Review," co-speaker, Fish Post-Grant Webinar (August 8, 2020).

“Berkheimer v. HP: A Favorable Shift for Software and Medical Methodology Patents?” speaker, Fish Webinar (July 19, 2018).

“Berkheimer v. HP: A Favorable Shift for Software and Medical Methodology Patents?” speaker, Patents on Tap (June 21, 2018).

“Looking Ahead: Practical Implications of Oil States Energy Services and SAS Institute,” co-speaker, Fish Post-Grant Webinar (April 26, 2018).

## Recognition

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Named to “The Best Lawyers in America” list by *The Best Lawyers in America*©, 2021.

Named as “Up & Coming Attorney” by *Minnesota Lawyer*, 2017.

## Clerkships

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U.S. Court of Appeals for the Federal Circuit, The Honorable Raymond C. Clevenger III, 2011 - 2012

U.S. Court of Appeals for the Federal Circuit, The Honorable Sharon Prost, 2011 - 2012