






Wes Musselman

Principal

-  Dallas, TX
-  214-292-4030
-  musselman@fr.com

Overview

About Wes

Wes Musselman is a principal in the Dallas office of Fish & Richardson P.C. His practice emphasizes patent prosecution and patent litigation. Mr. Musselman has extensive experience managing intellectual property portfolios, licensing matters, and intellectual property litigation. Mr. Musselman was a patent examiner at the U.S. Patent and Trademark Office, examining in the mechanical arts unit.

Wes was selected as “Lawyer of the Year – Patent Law in Dallas/Fort Worth” by *Best Lawyers* in 2019-2020. Only one attorney per practice area in a given jurisdiction is selected, based on interviews with clients and peer attorneys. Wes has been named a Super Lawyer for Intellectual Property multiple times. Super Lawyers identifies the top 5 percent of attorneys in each state, as chosen by their attorney peers and through the independent research of *Law & Politics*.

Focus Areas

Services

- IP Licensing, Transactions, and Agreements
- Patent
- Post-Grant
- Trademark
- Trademark Counseling and Prosecution

- TTAB Oppositions and Cancellations
- Patent Portfolio Management
- Patent Prosecution
- Patent Litigation

Industries

- Aerospace and Defense
- Chemicals
- Consumer Products
- Electrical and Computer Technology
- Energy and Petrochemical
- Hardware
- Manufacturing
- Medical Devices
- Nanotechnology
- Software
- Transportation

Education

J.D., University of Virginia School of Law (1987)

B.S. *with high distinction*, *Tau Beta Pi*, Mechanical Engineering, University of Virginia (1981)

Experience

Realtime Data, LLC v. Morgan Stanley, et al. (E.D. Tex. – Judge Davis) – Represented Merrill Lynch and Bank of America in a patent infringement action related to efficient compression and decompression of financial data.

DataTreasury Corp. v. Bank of America (E.D. Tex. – Judge Folsom) – Represented Bank of America in a patent infringement action related to image-based check processing.

Alcatel-Lucent v. Amazon, et. al. (E.D. Tex. – Judge Davis) – Represented Amazon, Netflix, Sears and Lands’ End in a patent infringement action related to internet retailing.

JuxtaComm v. Ascential, et al. (E.D. Tex – Judge Davis) – Represented Microsoft Corporation in a patent infringement action related to transfer of data between heterogeneous databases.

Landmark Graphics Corp., et al. v. Paradigm Geophysical Corp. et al. (S.D. Texas – Houston) – Represented Halliburton entity, Landmark Graphics, in patent infringement litigation over 3-D seismic imaging; case settled.

TouchCom Technologies, Inc. v. Dresser, Inc. (E.D. Tex. – Judge Ward) – Represented Dresser, Inc. in defense of a patent infringement action involving software for touchscreen fuel dispensers; obtained summary judgment of invalidity of all claims of plaintiff’s patent.

Cargill Meat Solutions Corp. v. Swift & Co. (N.D. Tex. – Lubbock) – Represented Cargill Meat solutions in a patent infringement action involving electrical stimulation to improve tenderness of beef; case settled.

Insights

Speaking Engagements

Speaker, with Stephen Pinkos, deputy director of the U.S. Patent and Trademark Office, on the impact of the proposed new USPTO rules at a Dallas Technology Business Council presentation (December, 2006).

Speaker on indirect infringement at the 8th Annual Advanced Patent Law Institute, Austin, Texas (October 29-21, 2003).

Publications

The Supreme Court Agrees to Review the Federal Circuit’s Festo Decision, Corporate Counsel (September 2001).

Recognition

Selected as one of only 98 “Patent Stars” in the State of Texas by *Managing Intellectual Property* in 2020

Named “Lawyer of the Year- Patent Law in Dallas/Fort Worth” by *Best Lawyers* (2020)

Named a Leading Patent Professional by *IAM Patent 1000* on multiple occasions, including 2019-2020

Selected as an “IP Star” by *Managing Intellectual Property* in 2013-2020

Selected for inclusion in *The Best Lawyers in America* for Patent Law – 2016, 2017, 2019-2021.

Included in the 2018 *Best Lawyers* list by U.S. News and World Report

Listed in *Best Lawyers* in Texas as published in The Wall Street Journal – 2016 and 2017

Top Rated – AV® Preeminent™ Lawyer, as evaluated by other attorneys, in *Martindale.com*

Top Rated – AV® Preeminent™ Lawyers by the Judiciary in *Martindale.com* – 2017

Selected as one of the top 1/3 of 1% of Texas attorneys to become a Fellow of the Texas Bar Foundation

Memberships & Affiliations

American Intellectual Property Law Association

American Bar Association (Intellectual Property Law Section)

Texas Bar Association (Intellectual Property Law Section)

Dallas Bar Association