Practices & Industries

Patent Litigation

Overview

When clients seek to enforce patent rights or need to defend against patent infringement claims, they turn to Day Pitney for representation. We prioritize early case assessment of patent claims, the underlying technology, and the legal issues to quickly advise the client on the appropriate strategy. Our lawyers work closely with technical advisors and in-house teams to understand complex technologies and present them using clear, persuasive arguments to judges, juries, and opposing parties. Our team approaches every matter with the client's end goal in mind, whether it is a litigated result or business arrangement.

Our work frequently extends beyond patent infringement claims. We handle disputes involving related issues such as trade secret misappropriation, unfair competition, antitrust considerations, and licensing or other commercial agreements. We collaborate closely with our patent prosecution team, which provides additional technical depth and insight into patent validity, claim scope, and prosecution history.

We represent clients of all sizes at every stage of the business lifecycle, from venture-backed and growth-stage companies to established enterprises, and across industries, including software, telecommunications, life sciences, consumer products, manufacturing, and aerospace. Our experience spans key forums for patent disputes, including federal district courts nationwide, the U.S. Court of Appeals for the Federal Circuit, the International Trade Commission (ITC), and the Patent Trial and Appeal Board (PTAB).

Our experience in patent litigation includes:

- Early assessment of infringement, validity, and enforceability
- Coordination of parallel proceedings in district courts, the ITC, the PTAB, and foreign jurisdictions
- Claim construction (Markman) proceedings
- Fact and expert discovery
- Damages analysis and expert development
- Dispositive motion practice
- Trial and post-trial proceedings
- Appeals before the Federal Circuit

Clients also engage us for pre-litigation counseling and risk assessment, including:

- Freedom-to-operate analyses
- Pre-suit investigations and technical evaluations
- Demand letters and responses to infringement allegations
- Licensing and settlement negotiations

- Coordination of cross-border enforcement and defense strategies