

Wab Kadaba

Chair

1100 Peachtree Street NE
Suite 2800, Atlanta, GA USA 30309
t 404.532.6959 | f 404.541.3258
wkadaba@ktslaw.com



Services

Anti-Counterfeiting & Gray Markets
Cross Border Transactions
Intellectual Property Due Diligence
Patent Litigation
Post-Grant Proceedings
Trade Secrets
Intellectual Property

Industries

Apparel, Accessories & Luxury
Goods
Media & Entertainment

Wab Kadaba serves as the Chair of Kilpatrick. Mr. Kadaba concentrates his practice on litigation related to intellectual property as well as strategy and management of intellectual property and technology issues. Mr. Kadaba has considerable experience representing clients in patent, trademark and trade secret litigation matters, covering technologies as diverse as software, telecommunications, e-commerce, medical devices, footwear, and chemical compositions. He is admitted to the U.S. Patent and Trademark Office.

Mr. Kadaba was recognized in *The Best Lawyers in America*® for Intellectual Property Litigation, Patent Litigation, Patent Law, and Trade Secrets Law in 2025 and the 15 years immediately preceding. He was also named the 2014 "Atlanta Lawyer of the Year" in the area of Patent Law, the 2023 "Atlanta Lawyer of the Year" in the area of Intellectual Property Litigation, and the 2025 "Atlanta Lawyer of the Year" in the area of Trade Secrets Law by *The Best Lawyers in America*®. Mr. Kadaba has been selected as a Georgia "Rising Star" for Intellectual Property and Intellectual Property Litigation in 2010 and the five years immediately preceding, a Georgia "Super Lawyer" in 2024 and the 13 years prior, and a Top 100 Georgia "Super Lawyer" in 2020 and the eight years prior by *Super Lawyers* magazine. He is listed in the 2024 and the 16 years immediately preceding editions of *Chambers USA: America's Leading Lawyers for Business* as a leading Georgia Intellectual Property lawyer and he was also ranked as "Band 1" for Intellectual Property in the 2024 and the five immediately preceding editions. Mr. Kadaba was selected as one of the top 15 young Atlanta lawyers "On the Rise" by *Fulton County Daily Report* in 2007. He was named a highly recommended patent practitioner in 2024 and the 12 years immediately preceding by *IAM Patent 1000 – The World's Leading Patent Practitioners*. In 2023, Mr. Kadaba was recognized as an *IAM Strategy 300 Global Leader*. He was named a "Trademark Leader" in 2023 and 2024 by *World IP Review*. Mr. Kadaba was recognized as one of *Georgia Trend's* 2012 "Legal Elite" for Intellectual Property Law. He was named an "IP Star" in 2023 and the ten years immediately preceding by *Managing Intellectual Property* magazine. Mr. Kadaba was also recognized as "Litigator of the Year" for Georgia in 2023 by *Managing Intellectual Property* magazine. He was recommended by *Legal 500 US* in 2016 in the areas of Patent Portfolio Management and Licensing and Patent Prosecution and again in 2017, 2018, 2019, 2020, 2021, 2022, 2023 and



2024 for Patent Prosecution. *Legal 500 US* also recognized Mr. Kadaba as a "Leading Lawyer" in 2021, 2022 and 2023 and as a "Leading Partner" in 2024 for Patent Prosecution. In 2019, 2020, 2021 and 2023, he was selected by *Atlanta Magazine* as a member of its "Atlanta 500", a prestigious list highlighting the city's most powerful and influential leaders. Mr. Kadaba was selected as a "Distinguished Leader" honoree in the 2022 *Daily Report Georgia Legal Awards*. He is a recipient of the North American South Asian Bar Association (NASABA) Cornerstone Award and was named to "Who's Who in Law and Accounting: The 100 Most Influential Individuals Who are Leading the Way in Metro Atlanta's Legal and Accounting Industries" by the *Atlanta Business Chronicle*. Mr. Kadaba speaks conversational Japanese and Hindi and has a working knowledge of Spanish.

Experience

Representing Cox Communications in a patent litigation matter involving multiple patents directed toward the UPnP standard, MOCA technology, and the Cable Labs Home Networking Standard. *Preservation Technologies, LLC v. Netflix Inc.*, No. 8:11-cv-01860-DOC-JPR (C.D. Ca. filed Dec. 2, 2011).

Represented adidas AG, adidas North America, Inc., adidas America, Inc., and adidas International Trading AG in patent infringement and importation investigation at ITC brought by Nike, Inc., related to the design and manufacture of shoe uppers for knitted footwear, with related action in Oregon federal court. One of the largest patent cases in the footwear industry, the case involved nine U.S. patents from multiple distinct families of patents, each covering a different subject matter. After completing both fact and expert discovery, the case was settled on confidential terms shortly before the evidentiary hearing at the ITC. *In re Certain Knitted Footwear*, U.S. ITC Inv. No. 337-TA-1289; *Nike, Inc. v. adidas AG et al.*, No. 3:21-cv-01780 (D. Or.).

The firm served as lead counsel for Genesco Inc. in defense of patent infringement allegations relating to an orthotic device. Plaintiffs asserted a multi-count complaint involving patent, trade secret, conversion, and unjust enrichment theories concerning shoe insert technology. We successfully secured and defended on appeal a summary judgment of non-infringement. *Schoenhaus v. Genesco, Inc.*, 351 F. Supp.2d 320 (E.D. Pa. 2005), *aff'd* 440 F.3d 1354 (Fed. Cir. 2006).

Successfully represented four major airlines in patent infringement case involving location and estimated time of arrival of vehicles. Although many of the defenses raised were common to all four clients, one airline had a unique system which was conducive to additional non-infringement defenses. We were able to successfully represent all four clients and provide them with the significant benefit of sharing costs associated with the defense.

The firm serves as lead counsel on behalf of Georgia-Pacific in a *qui tam* false marking suit filed by Belinda Brown in the United States District Court for the Eastern District of Missouri. The Complaint alleged that Georgia-Pacific falsely marked its Quilted Northern Soft and Strong bath tissue product with expired patent numbers in violation of 35 U.S.C. § 292. We filed a Motion to Dismiss the Complaint on the grounds that the Plaintiff failed to plead its claims, especially with respect to the intent to deceive element, with the particularity



required under Rule 9(b) of the Federal Rules of Civil Procedure. The Court agreed and granted the Motion to Dismiss. *Belinda Y. Brown v. Georgia Pacific Corporation*, USDC, EDMO, Civil Action No. 4:10-cv-01005-RWS.

Serves as lead counsel in *Inter Partes* Review proceeding for Yelp and Twitter before the United States Patent and Trademark Office challenging the validity of U.S. Patent No. 7,010,536 entitled System and Method for Creating and Manipulating Information Containers with Dynamic Registers. United States Patent and Trademark Office Patent Trial and Appeal Board, Case Number IPR2014-00092.

The firm served as lead counsel on behalf of patent owner in patent infringement litigation involving chemical parts washers for automotive parts. The dispute involved ownership issues between the inventor and his employer. The patents were found valid and infringed on pre-trial motions.

Serves as lead counsel in *Inter Partes* Review proceeding before the United States Patent and Trademark Office challenging the validity of U.S. Patent No. 6,985,912 entitled Dynamic Object Driven Database Manipulation and Mapping System Having a Simple Global Interface and an Optional Multiple User Need Only Caching System with Disable and Notify Features. United States Patent and Trademark Office Patent Trial and Appeal Board, Case Number IPR2014-00117.

The firm served as lead counsel on behalf of Intercontinental Hotels Corporation in defending a patent infringement case. We obtained summary judgment of invalidity under 35 U.S.C. § 101. The plaintiff has appealed the ruling. *CyberFone Sys. LLC v. Amazon.com Inc. et al.*, No. 11-00831 (D. Del. filed Sept. 15, 2011).

The firm served as lead counsel defending Thomasville Furniture Industries, Inc. in a suit filed by Furnace Brook LLC in the U.S. District Court for the Northern District of Illinois. The suit claimed patent infringement stemming from our clients use of on-line ordering systems. Furnace Brook sued thirteen defendants and initially settled with six of those parties. We successfully obtained a summary judgment verdict for our client, dismissing the infringement case against Thomasville under the doctrine of collateral estoppel. *Furnace Brook LLC v. Aeropostale Inc. et al.*, No. 1:09-cv-04310 (N.D. Ill filed July 17, 2009).

Serves as lead counsel in *Inter Partes* Review proceeding before the United States Patent and Trademark Office challenging the validity of U.S. Patent No. 7,103,600 entitled Displayable Presentation Page and SQL Searchable Relational Data Source Implementation of a System, Method and Software for Creating and Maintaining Distributed Transparent Persistence of Complex Data Objects and their Data Relationships. United States Patent and Trademark Office Patent Trial and Appeal Board, Case Number IPR2014-00118.

Serves as lead counsel in *Inter Partes* Review proceeding before the United States Patent and Trademark Office challenging the validity of U.S. Patent No. 7,167,862 entitled Session Bean Implementation of a System, Method and Software for Creating or Maintaining Distributed Transparent Persistence of Complex Data Objects and



their Data Relationships. United States Patent and Trademark Office Patent Trial and Appeal Board, Case Number IPR2014-00119.

The firm represented adidas AG in a successful petition for *inter partes* review ("IPR") of U.S. Patent No. 7,347,011 assigned to Nike, Inc. (Case Number IPR2013-00067). In response, Nike canceled all issued claims in favor of proposed new claims. In 2014, the USPTO Patent Trial & Appeal Board determined that all of the proposed new claims were invalid. In 2015, the Federal Circuit affirmed the Board's decision in part, and has remanded to the Board to formally address evidence of secondary considerations.

Represented plaintiff in patent infringement action relating to forging of automobile parts by extrusion of molten aluminum. The technology at issue involved complex metallurgy and applied heat transfer in conjunction with the manufacturing process.

Successfully represented Delta Air Lines, American Airlines, Continental Airlines and Japan Air Lines in patent infringement case involving location and estimated time of arrival of vehicles. Although many of the defenses raised were common to all four clients, one airline had a unique system which was conducive to additional non-infringement defenses. We were able to successfully represent all four clients and provide them with the significant benefit of sharing costs associated with the defense. *Arrival Star, Inc. v. Delta Air Lines, Inc.*, No. 02-2543 (N.D. Ga. filed Sept. 16, 2002).

Represents adidas in providing comprehensive and aggressive patent protection. The firm works intimately with in-house patent counsel and the inventors to understand the inventions and their importance in the company's overall business strategy. We routinely conduct patentability and clearance searching to assist the client in avoiding potential patent infringement and to help us identify the truly novel features of our clients' inventions and focus prosecution on those features. Through these efforts, we provide strategic counsel to key personnel regarding strategies to protect their innovations and achieve corporate goals.

Education

University of North Carolina School of Law J.D. (1997)

Case Western Reserve University M.S. (1994) Mechanical Engineering

Georgia Institute of Technology B.S. (1992) Mechanical Engineering

Admissions

Georgia (1997)

Court Admissions

U.S. Patent and Trademark Office (1999)



Professional & Community Activities

IndUS Entrepreneurs, Member

Japan America Society of Georgia, Member

Law360, Intellectual Property Editorial Board (2021)

Sigma Xi Scientific Research Honor Society, Member

State Bar of Georgia, Intellectual Property Section, Chair (2008-2009)

The Westminster Schools, Diversity Advisory Council, Member

The Westminster Schools, Alumni Association Governing Board, Member (2016-2017)

Leadership Atlanta, Class of 2012, Member

Fernbank Museum of Natural History, Corporate Leadership Council, Member

Woodruff Arts Center, Board of Trustees, Member

Insights

[News Releases](#)

37 Kilpatrick Attorneys Named to the 2024 Lexology Index

November 25, 2024

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Kilpatrick Attorneys Garner Esteemed Recognition as 2025 IAM Global Leaders

November 25, 2024

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126 Kilpatrick Attorneys Named 2024 Super Lawyers and Rising Stars

November 11, 2024

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Kilpatrick Named 2024 Georgia Powerhouse by Law360

September 17, 2024

[News](#)

Most Admired CEO | Kilpatrick is Expected to Grow Under New Leader

August 22, 2024