Michael J. Turton

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Michael Turton is Deputy Chair of the firm's Intellectual Property Department. Michael concentrates his practice in intellectual property law, with a primary focus on patent litigation and intellectual property strategy and licensing. Fields of technology in which he has experience include computer hardware and software, computer security, telecommunications, computer networking, film and digital projection technologies, financial services item processing, fiber optic networks, Internet search and services, electronic commerce, semiconductor and integrated circuit technology, and electro-mechanical devices.

Michael has represented companies in patent litigation actions in California, Delaware, Georgia, Iowa, Massachusetts, Texas, Virginia, and the International Trade Commission. Additionally, he regularly assists companies with a variety of intellectual property matters, including pre-suit matters, such as analyzing patents held by competitors, conducting freedom to practice analysis, and providing written opinions.

Before joining the firm, Michael practiced with a Houston, Texas, intellectual property firm. Michael was recognized by *The Best Lawyers in America*® in 2027 and the four years immediately preceding for Intellectual Property Litigation and Patent Litigation. He was recommended by *Legal 500 US* in 2025 for Patent Prosecution. Michael was named a highly recommended patent practitioner in 2026 by *IAM Patent 1000 – The*

World's Leading Patent Practitioners. He has been recognized as a 2012 and 2013 Georgia "Super Lawyer" and 2009 Georgia "Rising Star" in Intellectual Property Law by *Super Lawyers* magazine. Michael was honored as an "Atlanta Pro Bono Attorney of the Year" in 2023 by the Tahirih Justice Center for his leadership in supporting courageous immigrant survivors fleeing violence. Michael is AV® rated by Martindale-Hubbell.*

Experience

Defending Cox Communications, COXCOM, and Cox Communications California in two high-profile two patent infringement suits filed in the Central District of California by Entropic Communications. In total, Entropic Communications asserts 20 patents (12 in one case and 8 in the other) against Cox Communications and its affiliates for infringement of technology related to the transmission of video streams through the cable network. *Entropic Communications, LLC v. Cox Communications, Inc. et al.*, No. 2:23-cv-01047 (C.D. Cal. filed Feb. 10, 20233) and 2:23-cv-01049 (C.D. Cal. filed Feb 10, 2023)

Represented Vantiva in an ITC case relating to WiFi header technology. Kilpatrick successfully negotiated a settlement and dismissal of the case, and its associated District Court case, in its entirety. *In the Matter of Certain Video Game Consoles, Routers and Gateways, and Components Thereof*, Investigation No. 337-TA-1445

CDN Innovations sued Cox Communications for patent infringement in the Northern District of Georgia. CDN asserted ten patents relating to various aspects of content delivery over a network. We were retained by Cox to defend this very large case and prepared vigorous defenses to all ten asserted patents. We concluded this matter with a very favorably resolution for our client Cox. *CDN Innovations, LLC v. Cox Communications, Inc.*, No. 1:21-cv-02240 (N.D. Ga. filed May 28, 2021).

Defended Hospitality Network, LLC, Caesars and Wynn in patent infringement actions brought in the District of Nevada. The asserted patent related to the provisioning of Wi-Fi services to hotel guests based on a unique set of rules applied to each user. The accused services are widely used in the hotel and airline industries, where users attempt to access Wi-Fi based on conditions offered by the service providers. We settled the cases for our clients. *Linksmart Wireless Technology, LLC v. Caesars Entertainment Corporation*, No. 2:18-cv-00862 (D. Nev. filed on May 14, 2018); *Linksmart Wireless Technology, LLC v. Wynn Resorts, Limited*, No. 2:18-cv-00868 (D. Nev. filed on May 14, 2018); *Linksmart Wireless Technology, LLC v. Hospitality Network, LLC*, No. 2:20-cv-01386 (D. Nev. filed on July 27, 2020).

Representing Respondent ARRIS in patent infringement and importation investigation brought by Rovi, related to on-screen programing guide technology, with related actions in S.D. of New York and New York State Court. *In re Digital Video Receivers, U.S. ITC Investigation*, No. 337-TA-1001.

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.)

Represented Respondent ARRIS in a patent infringement and importation investigation brought by Nagravision SA et al., related to digital content and voice command technology. Case settled. *In re Certain Digital Television Set-Top Boxes*, U.S. ITC Investigation No. 337-TA-1041.

Represented Comcast in a patent infringement action related to set-top box technology brought by Nagravision SA et al. Case settled. *Nagravision SA et al. v. Comcast Cable Communications, LLC*, Case no. 2:16-cv-1362 (EDTX filed December 5, 2016).

Represented Cox Communications in an inter partes review proceeding involving cable system networking technology. PTAB decision finding claims at issue not patentable was upheld by the Federal Circuit. IPR2015-01796. Also representing Cox in a related patent infringement action brought by C-Cation. *C-Cation Technologies, LLC v. Atlantic Broadband Group LLC et al.*, Case no. 1:15-cv-00295 (D. Del. filed April 7, 2016).

Representing Cisco in a patent infringement litigation in the Eastern District of Virginia. The plaintiff originally asserted 11 patents related to encryption and network hardware technology against Cisco and several other defendants. One patent is currently asserted after plaintiff dropped the assertion of 10 patents. In connection with defending Cisco, we performed significant analysis on the network hardware at issue. *TecSec, Inc. v. IBM Corp., et al.*, No. 1:10-cv-115 (E.D. Va. filed Feb. 5, 2010).

Represented Alfresco Software in a lawsuit involving allegations of patent infringement related to content management systems. The lawsuit involved nine patents from two distinct families of patents, each covering different subject matter. After successfully transferring the case from the Eastern District of Virginia to the Northern District of California, Alfresco invalidated two of the asserted patents at the 12(b)(6) stage under the Supreme Court's Alice standard for patentable subject matter under 35 U.S.C. § 101. The remainder of the case was settled shortly thereafter on confidential terms. *Open Text SA v. Alfresco Software Ltd., et al.*, 13-cv-04843 JD (N.D. Cal., filed October 18, 2013).

Represented AT&T in a patent litigation in the District of Delaware. The plaintiff asserted a patent relating to DSL against AT&T and several other defendants. Plaintiff dismissed the case with prejudice after we proved AT&T's accused products and services did not operate as the plaintiff alleged. *Driden v. AT&T, Inc. et al.*, Civ. No. 12-cv-1469 (D. Del. filed November 14, 2012).

Represented firm client in patent licensing dispute involving arbitration via the International Centre of Dispute Resolution.

Represented AirWatch LLC in a patent and trade secret litigation relating to mobile device management and security software. Case settled. *AirWatch LLC v. Mobile Iron, Inc.*, Civ. No. 12-cv-03571 (N.D. Ga. filed October 16, 2012).

Represented CoxCom, Inc. and Cox Communications, Inc. in the U.S. District Court for the District of Delaware. BT filed a patent infringement action against Cox accusing certain aspects of its telecommunications and television network of infringing eight different patents. The case settled a week before the scheduled trial. (Judge Robinson). *British Telecommunications, PLC v. Coxcom Inc.*, No. 1:10-cv-00658 (D. Del. filed Aug. 5, 2010).

Represented Cox Communications, Inc. in a patent infringement suit filed by Bear Creek Technologies, Inc. in the Eastern District of Virginia. Obtained successful transfer out of the E.D. of Virginia to the N.D. Georgia. The action was consolidated for pre-trial proceedings with other suits brought by Bear Creek against various other defendants in the District of Delaware, with Judge Sleet presiding over discovery and other pre-trial matters. The plaintiff alleged that providing voice-over-IP technology infringes its patented technology and has brought suit across multiple industries for infringement of this patent. Case was dismissed after reexamination proceeding successfully invalidated the patent. (Judge Sleet). *Bear Creek Technologies, Inc. v. Cox Communications, Inc. et al.*, No. 1:2012cv00565 (D. Del. filed May 4, 2012).

Represented Manhattan Associates in a patent infringement litigation in the District of Massachusetts. The plaintiff asserted a patent related to supply chain software against Manhattan Associates and several other defendants. Case settled. (Judge Young). *Sky Technologies LLC v. Microsoft Corp., et al.*, No. 1:11-cv-10833 (D. Mass. filed May 11, 2011).

Represented Delta Air Lines and United Airlines in a patent infringement litigation in the Eastern District of Texas. The plaintiff asserted patents related to secure online transactions against Delta, United, and several other defendants. Case settled. (Judge Gilstrap). *Stambler v. Atmos Energy Corp., et al.*, No. 10-594 (E.D. Tex. filed Dec. 28, 2010).

Represented Wells Fargo Bank against Innova Patent Licensing in a patent infringement suit in the Eastern District of Texas. The bank's systems, services and processes at issue include information security technologies such as spam-blocking software. The plaintiff in this suit sued numerous defendants, including some of the largest banks in the country. Case settled. (Judge Folsom). *Innova Patent Licensing, LLC v. 3Com Corp., et al.*, No. 10-0251 (E.D. Tex. filed July 20, 2010).

Represented Wells Fargo Bank in a patent infringement suit involving customer service and payment acceptance technologies. The case was originally filed in the Eastern District of Virginia but was successfully transferred to Iowa. Case settled. *Autoscribe Corp. et al., v. Wells Fargo Bank N.A. et al.*, No. 4:10-cv-00202 (S.D. Iowa filed Apr. 30, 2010).

Represented Cox Communications in a patent infringement suit involving voice over IP technology. We obtained a jury verdict of no patent infringement of six patents and invalidity of two patents. Affirmed by the Federal Circuit. *Verizon Servs. Corp. v. Cox Fibernet Va., Inc.*, No. 08-157 (E.D. Va. filed Jan. 11, 2008).

Education

North Carolina State University B.S. (1992) Electrical Engineering

Wake Forest University School of Law J.D. (1995)

Admissions

Georgia (1999)

Texas (1995)

Court Admissions

U.S. Court of Appeals for the Federal Circuit (2001)

U.S. District Court for the Eastern District of Texas (2010)

U.S. District Court for the Northern District of Georgia (1999)

U.S. Patent and Trademark Office (1996)

Professional & Community Activities

Georgia Asylum and Immigration Network Board Member (2024-Present)

Charles A. Pannell, Jr. IP Inn of Court

Dian Fossey Gorilla Fund International, Board Member (2021-2024)

Orange Duffel Bag Initiative, Board Member (2017-2019)

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