Joshua H. Lee

Partner

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Services

Intellectual Property

ITC Section 337

Patent Litigation

Patents

Post-Grant Proceedings

Industries

Electronics & Computer Technology

Fintech

Health & Life Sciences

Medical & Surgical Devices

Technology

Josh Lee concentrates his practice on the litigation of complex patent disputes in U.S. district courts across the country, before the U.S. Court of Appeals for the Federal Circuit, at the International Trade Commission, and in trials before the Patent Trial and Appeal Board.

Josh has significant courtroom experience, including second-chairing a trial at the International Trade Commission in which the Administrative Law Judge found his client had not violated Section 337 of the Tariff Act. Earlier in his career, Josh also served as the lead associate in a jury trial in the Western District of Texas in which the jury returned a verdict that his client did not infringe and that the opponent's patent claims were invalid. Josh also has significant experience with the many aspects of patent litigation in advance of trial, including infringement and validity analyses, claim construction, discovery, taking and defending depositions, expert discovery, motion practice, and pre-trial proceedings.

Additionally, Josh regularly assists companies with a variety of other intellectual property matters, including pre-litigation matters, such as assessing companies' patent portfolios, analyzing patents held by competitors, and negotiating and advising on patent license agreements.

Josh is also a registered patent attorney before the U.S. Patent and Trademark Office, and has substantial patent prosecution experience.

Josh was recognized as a Georgia "Rising Star" in the area of Intellectual Property Litigation in 2024 and multiple years prior by *Super Lawyers* magazine. He was also recognized as an IP "Rising Star" in 2022, 2024 and 2025 and an "IP Star" in 2026 by *Managing Intellectual Property* magazine.

During law school, Josh was named National Champion in the 2010 AIPLA Giles Sutherland Rich Memorial Moot Court Competition, which focuses on issues in patent law. Prior to his legal career, Josh worked as a process engineer in the textile industry.

Experience

Represented Lenovo Group Limited in defense of an eight patent infringement case relating to USB, DisplayPort, and PCIe protocols and functionalities in the Eastern District of Texas, which implicated thousands of Lenovo-branded devices. After the claim construction order, the plaintiff narrowed the case to four asserted patents. Thereafter, Kilpatrick obtained summary judgment of no infringement as to one of the four remaining patents and succeeded in excluding opinions from each of Plaintiff's three expert witnesses, including purported opinions on the alleged representativeness of source code architectures, purported opinions on technical apportionment, and the entirety of plaintiff's expert's opinions on damages. The case subsequently resolved successfully for Lenovo Group Limited. *Universal Connectivity Technologies v. Lenovo Group Limited*, 2:23-cv-00449 (E.D. Tex. filed September 28, 2023).

Represented Respondent Manufacturing Resources International, Inc. ("MRI") in patent infringement and importation investigation at ITC brought by Samsung, related to environmentally-protected LCD digital display technology. Josh served as second chair and handled the examination of multiple witnesses at trial, including cross-examining Samsung's lead technical expert witness for three hours. After trial, the Administrative Law Judge's Initial Determination found multiple Samsung patents both not infringed by MRI and invalid. Additionally, the Initial Determination found that Samsung had not satisfied the domestic industry requirement for any of the asserted patents. The Initial Determination thereby found that MRI had not violated Section 337. *In re Components for Certain Environmentally-Protected LCD Digital Displays and Products Containing Same*, U.S. ITC Investigation No. 337-TA-1349.

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 GREE, Inc., a Japanese gaming and internet media company in a large-scale patent battle with Supercell, a Finnish mobile game development company. Kilpatrick launched suits involving more than 20 patents against Supercell. The case led to a complex series of litigations in district court resulting in more than $100 million in jury verdicts in favor of GREE, as well as at the PTAB and before the Federal Circuit. The Kilpatrick team obtained a jury verdict for GREE in the Eastern District of Texas of willful infringement, asserting five patents and an award of at least $8.5 million for damages against Supercell in September 2020, and a second jury verdict of willful infringement in favor of GREE and an award of at least $92 million in damages in May 2021. *GREE, Inc. v. Supercell Oy*, Nos. 2:19-cv-00237, 2:19-cv-00310, 2:19-cv-00311, 2:19-cv-00070, 2:19-cv-00071 (E.D. Tex.) (Judge Gilstrap).

Prevailed on behalf of Petitioner GREE, Inc. in *inter partes* review challenging the validity of a patent related to authentication and plug-in technology, which had been asserted by Supercell against GREE, Inc. in a parallel

district court proceeding. After Josh's oral argument on the matter, the Patent Trial and Appeal Board ruled in favor of GREE, Inc., cancelling all challenged claims. *GREE, Inc. v. Supercell Oy*, IPR2019-00086 (P.T.A.B.).

Represented TNA Australia Pty Limited and TNA North America Inc. in offensive patent infringement action against competitor in the Northern District of Texas regarding “gateless” conveyor system technology. After persuasive briefing and argument resulted in a favorable claim construction order, Josh and the team leveraged the strength of TNA’s meritorious claims to secure a permanent injunction, enjoining the defendant from selling its infringing products in the United States. *TNA Australia Pty Limited v. PPM Technologies, LLC*, No. 3:17-cv-0642-M (N.D. Tex.).

Represented Motorola Mobility in defending patent infringement claims related to wireless earpiece technology in the Western District of Texas. After winning summary judgment on certain of the claims and forcing plaintiff’s voluntary dismissal of others before trial, presented a defense that led the jury to return a verdict of non-infringement and invalidity against the remaining claims that were at issue. *Effingo Wireless, Inc. v. Motorola Mobility LLC*, No. 5:11-cv-00649 (W.D. Tex.) The asserted patent was also invalidated in a re-examination proceeding prosecuted by the firm.

Defended Sidense Corp. in litigation asserting patent infringement, trade libel and defamation, intentional interference with prospective economic advantage, false advertising under the Lanham Act, and unfair competition under Cal. Bus. & Prof. Code § 17200, relating to one-transistor, one-time programmable embedded non-volatile memory (eNVM) technology. Defeated patent claims on summary judgment and plaintiff dismissed business tort claims with prejudice. District Court ordered Kilopass to pay Sidense $5.5 million in attorneys' fees and costs. *Kilopass Tech., Inc. v. Sidense Corp.*, No. 10-2066 (N.D. Cal. filed May 14, 2010).

Represented Respondent ARRIS in patent infringement and importation investigation at ITC brought by Rovi, related to on-screen programing guide technology, with related actions in various U.S. district courts and New York State Court. After a full hearing, the team secured a finding of no infringement by ARRIS in the Administrative Law Judge’s Initial Determination, and that finding was affirmed in the ITC’s Final Determination. *In re Digital Video Receivers*, U.S. ITC Investigation No. 337-TA-1001.

Represented Respondent ARRIS in a patent infringement and importation investigation brought by OpenTV/Nagra/Kudelski, related to digital content and voice command technology. Case settled. *In re Certain Digital Television Set-Top Boxes*, 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 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, the team 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 Ring Container Technologies, LLC in offensive patent infringement action against a competitor in the Eastern District of Texas regarding packaging technology. After engaging in early fact discovery, the dispute favorably resolved in a private mediation before Judge David Folsom (ret.). *Ring Container Technologies, LLC v. Altium Packaging LP*, No. 2:21-cv-464 (E.D. Tex.).

Education

University of Tennessee College of Law J.D. (2010) *with honors*

Clemson University B.S. (2006) Industrial Engineering, *magna cum laude*

Admissions

Georgia (2010)

Court Admissions

Georgia Court of Appeals (2011)

Georgia Superior Court (2010)

Supreme Court of Georgia (2011)

U.S. Court of Appeals for the Federal Circuit (2013)

U.S. District Court for the Eastern District of Texas (2014)

U.S. District Court for the Northern District of Georgia (2011)

U.S. Patent and Trademark Office (2007)

Professional & Community Activities

American Intellectual Property Law Association (AIPLA), Member

AIPLA Giles Sutherland Rich Moot Court Competition, Volunteer

American Bar Association, Member

Atlanta Bar Association, Member

State Bar of Georgia, Member

Insights

Events

Kilpatrick's Intellectual Property Seminar Series
September 16, 2026

News Releases

Kilpatrick Attorneys Once Again Earn Outstanding Recognitions in 2027 Edition of The Best Lawyers in America®

August 20, 2026

News Releases

Kilpatrick Attorneys Earn 102 Rankings in 2026 Chambers USA and Global Guides

June 5, 2026

News Releases

Kilpatrick Attorneys Continue to Earn Distinction on Managing Intellectual Property's Prestigious IP Stars List

June 2, 2025

News Releases

126 Kilpatrick Attorneys Named 2024 Super Lawyers and Rising Stars

November 11, 2024