



Mark C. Howland

Partner

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I understand the pivotal role that IP plays for our clients, and I never take that lightly. Many engineering or science-based businesses will directly rise – or fall – with their ability to realize, protect and fully exploit the intellectual property assets. It is extremely rewarding to help clients overcome any challenges and realize their potential and goals.

Mark Howland is a litigator who regularly handles high-stakes intellectual property cases involving a broad range of complex technologies in federal courts around the country. In addition to his litigation practice, he provides strategic counseling to clients regarding intellectual property licensing and enforcement.

Mark has successfully represented some of the world's leading semiconductor companies in patent cases involving semiconductor fabrication, wafer inspection, and chip packaging technologies; microprocessor and DSP architectures; memory and storage devices; network processors; graphics processors; and analog and digital circuits. He has also counseled and represented companies in litigation involving a range of technologies relating to oil and gas exploration and production—including towed array seismic data acquisition, nanoparticle tracers for downhole use, and technologies for wear mitigation and fatigue abatement in downhole tools and frack pumps. In the telecommunications space, Mark has represented a number of companies, including mobile phone manufacturers, cable and fiber optic systems manufacturers, and broadcast service providers in cases involving wireless communication technologies relating to a variety of different industry standards; audio

encoding; data compression; ATM test networks; GPS monitoring devices; satellite broadcast systems; and wireless and wired network architectures. He also has represented a number of companies in patent litigation relating to software, GUIs, computer network architectures and security, encryption, and payment systems.

In addition to patent disputes, Mark has successfully defended companies accused of trade secret misappropriation and copyright infringement involving technologies relating to semiconductor wafer inspection and profilometry, online gaming, and financial portfolio management software. Prior to joining Carrington Coleman, he was a partner in the IP litigation section of a multinational law firm where he spent 15 years litigating patent disputes for a wide range of technology companies.

Mark's engineering background allows him to get up to speed quickly and stand toe to toe with experts on complex technologies. But, well beyond his technical skills, he also cultivates a deep awareness of his client's business goals and operations.

Significant Matters

- Defending major bank in five-patent infringement lawsuit brought by Intellectual Ventures against numerous aspects of the bank's online banking operations. Successfully obtained stay of litigation pending the outcome of IPR proceedings challenging the asserted patents, three of which have resulted in final written decisions finding all asserted claims unpatentable.
- Represented leading nanoparticle manufacturer in case involving patent inventorship and breach of a joint development agreement relating to DNA-tagged nanoparticles and methods of injecting such particles into a well during fracking for use as tracers.
- On behalf of leading semiconductor manufacturer, obtained voluntary dismissal with prejudice of a patent infringement lawsuit after identifying alleged inequitable conduct before discovery started in the case.
- Defended two semiconductor manufacturers against allegations of infringing eight patents relating to various aspects of semiconductor technology.
- Represented a major bank in a patent infringement action relating to banking and credit card services.
- Represented financial services software analytics company against a claim of copyright infringement made by a competitor.
- Defended one of the world's leading semiconductor manufacturers against allegations of infringing three patents generally relating to error checking and correction protocols in network processors.
- Defended a semiconductor manufacturer in a patent infringement suit generally relating to architectures for network processors.
- Defended a semiconductor manufacturer in a patent infringement action generally relating to sharing information in a distributed network and the AUTOSAR standard.
- Represented major grocery and retail chain in a patent infringement action related to systems for managing fuel rewards programs.

- Represented flat panel display manufacturer in a patent infringement action related to optical diffusers and waveguides in LCD panels.
- Represented manufacturer of GPS monitoring systems in a patent infringement suit related to GPS monitoring devices.
- Represented major computer manufacturer in a patent infringement case relating to mainframe network architectures.
- Represented multinational information technology equipment and services company as the plaintiff in a two-patent infringement case relating to systems for processing transactions in connection with prepaid wireless communications.
- Defended digital camera manufacturer against allegations of infringing patents generally relating to certain uses of flash memories in handheld recording devices and certain methods of memory management.
- Successfully defended multinational toy manufacturer in a highly-contentious misappropriation and unfair competition case filed by the alleged inventor of a successful children's toy sold by client.
- Represented provider of in-store advertising services and patient acquisition and adherence programs as defendant / counterclaim plaintiff in a patent infringement case relating to a method for targeted advertising in connection with dispensing pharmaceutical products.
- Represented manufacturer of tools for semiconductor manufacturing and wafer inspection and its employee successfully against claims including trade secret misappropriation, correction of inventorship, breach of contract, and patent infringement.
- Represented major mobile phone and wireline infrastructure manufacturer in a patent infringement action relating to technologies for downloading compressed audio and video files.
- Represented major mobile phone manufacturer in a patent infringement action relating to technologies for downloading compressed audio and video files.
- Represented several flat panel display manufacturers in a patent infringement suit involving three patents directed to semiconductor manufacturing and LCD display technology.

Areas of Focus

Industries

- Blockchain Technology
- Energy
- Financial Services
- Manufacturing
- Retail and Ecommerce
- Software, Technology, and Telecommunications

Services

- Noncompete and Trade Secrets

- Intellectual Property
- Litigation and Disputes

Education

- University of Texas at Austin School of Law, J.D., 2000, with honors
- Southern Methodist University, B.S., Electrical Engineering, 1995

Admissions

- Texas, 2000
- U.S. Patent and Trademark Office
- U.S. District Court Northern District Texas
- U.S. District Court Eastern District Texas

Recognition

- *D Magazine Best Lawyers in Dallas* in intellectual property, 2017-present
- *The Best Lawyers in America*, 2016-present
- Texas Super Lawyers in intellectual property litigation, 2013-2019
- Texas Super Lawyers “Rising Star” in intellectual property litigation, 2010-2012



Speeches/Publications

- *The Advantages of Extracting Value from Non-Core Intellectual Property* (January, 2012).
- Speaker, *The Impact of Bankruptcy on IP Litigation and Licensing*, Nationally Syndicated West LegalEdcenter Webcast (August 24, 2010).
- *The Impact of Bankruptcy on IP Litigation and Licensing* (April, 2010).
- Speaker, *The Impact of Bankruptcy on IP Litigation and Licensing*, 14th Annual Advanced Patent Law Institute, Austin, TX (October, 2009).

- Speaker, *Use of Experts in Intellectual Property Litigation*, DFW Intellectual Property Law Association, Dallas, TX (September, 2002).
- Chapter 14, co-author, *Patent Litigation: Lawrence Pretty, ed.*, Practising Law Institute, 14-(1-50) (2001).

Outside of Work

I enjoy travel and hit the gym on occasion. But, when I'm not at the office, I spend most of my time with my family. I have four children, and we enjoy hanging out together and barbequing, and if I do say so myself, I cook a mean slab of ribs on a Big Green Egg.