



Benjamin Thompson

Principal
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Overview

Ben Thompson's practice focuses on representing clients in patent litigation, including actions filed in U.S. District Courts across the country and at the U.S. International Trade Commission. He also has experience arguing before the U.S. Court of Appeals for the Federal Circuit.

Ben's litigation experience includes work with varying technologies, including tunable lasers, consumer electronics, portable device power management, object-relational mapping technology, microprocessor design and operation, data aggregation software, and digital image processing technology. He also has substantial litigation experience representing clients in litigations concerning computer network security and data encryption.

In addition to Ben's litigation work, he is a registered patent attorney who assists clients in post-grant proceedings before the Patent Trial and Appeal Board.

Prior to entering the practice of law, Ben worked as a software developer for a company specializing in mission-critical technology solutions for the U.S. Department of Defense. Through this professional experience and education, Ben is proficient in multiple software programming languages.

In recognition of his achievements at the ITC, *Law360* identified Ben as a 2019 Rising Star in international trade law—an honor awarded to only four practitioners in the country who were considered the top legal talent under 40 in this field. Ben has also consistently been named a Super Lawyers Rising Star from 2013-2021 in the field of intellectual property litigation and was named to the 2021 "Best Lawyers in America" list by *The Best Lawyers in America*®.

Experience

- *VirnetX v. Microsoft* (E.D. Tex. 2013) – Counsel to Microsoft in litigation related to network communications.
- *Leon Stambler v. Ally Bank* (E.D. Tex. 2012); *Leon Stambler v. Amazon.com* (E.D. Tex. 2009) – Counsel to the Federal Reserve Banks, First Citizens, Expedia, Hotels.com, Ticketmaster, and Travelocity in patent litigations related to standardized encryption protocols.
- *In the Matter of Certain Consumer Electronics Including Mobile Phones and Tablets*, 337-TA-839 (ITC 2012) – Counsel for Samsung in ITC investigation related to mobile phones and tablets.
- *DataTern, Inc. v. Abbott Labs., et al.* (E.D. Tex. 2011) – Counsel to Hewlett Packard in litigation concerning software for interfacing with relational databases.
- *DataTern, Inc. v. MicroStrategy, Inc.* (D. Mass. 2011) – Counsel to defendant MicroStrategy in litigation targeting client's business

- intelligence software. Obtained judgment of no-infringement in District Court; currently on appeal before Federal Circuit.
- *Implicit Networks v. Hewlett-Packard* (N.D. Cal. 2010) – Counsel to Hewlett Packard in litigation related to application server technology.
- *Broadcom Corp. v. Emulex Corp.* (C.D. Cal. 2009) – In multi-patent litigation involving different networking technologies, won summary judgment of patent exhaustion and won jury verdict of no infringement on behalf of Emulex; currently on appeal before Federal Circuit.
- *TQP Development v. Barclays PLC* (E.D. Tex. 2009) – Counsel to Barclays in patent litigation related to encryption algorithms employed over the Internet.
- *In the Matter of Certain Tunable Laser Chips, Assemblies, and Products Containing Same*, 337 TA 662 (2008) – Counsel to Syntune AB and CyOptics Inc. in patent infringement investigation concerning tunable laser chips and related components.
- *LG Electronics v. Petters Group Worldwide, LLC, et al.* (E.D. Tex. 2008) – Counsel to LG Electronics in patent infringement suit concerning flat panel television products.

Recognitions & awards

Best Lawyers in America

Best Lawyers 2021-2025

IAM Patent 1000

IAM 2023-2024

Rising Star

Law360 2019

Rising Star

Super Lawyers 2013-2017

News

News | January 30, 2025

Fish & Richardson Defeats Multi-Billion Dollar Demand at EDTX Jury Trial

Media Coverage | January 24, 2025

Fish & Richardson Trial Team Named *Law360*'s 'Legal Lions of the Week' for \$1.95 Billion Patent Case

Law360

News | August 15, 2024

101 Fish Attorneys Included in the 2025 Edition of *The Best Lawyers in America*

News | June 11, 2024

Fish & Richardson Receives Top Rankings in 2024 Edition of *IAM Patent 1000: The World's Leading Patent Professionals*

News | September 11, 2023

Fish & Richardson Secures Appellate Win for Bumble Involving Rare Legal Doctrine

News | August 17, 2023

101 Fish Attorneys Included in the 2024 Edition of *The Best Lawyers in America*

News | June 27, 2023

Fish & Richardson Receives Top Rankings in 2023 Edition of *IAM Patent 1000: The World's Leading Patent Professionals*

News | September 8, 2022

Fish & Richardson Receives Top Rankings in 2022 Edition of *IAM Patent 1000: The World's Leading Patent Professionals*

News | August 22, 2022

96 Fish Attorneys Included in the 2023 Edition of *The Best Lawyers in America*

News | August 19, 2021

Fish Attorneys Recognized in 2022 Edition of *The Best Lawyers in America*

News | September 16, 2019

Fish & Richardson Attorneys Betsy Flanagan and Ben Thompson Named *Law360* 2019 "Rising Stars"

Events

April 7, 2019

Patent Resources Group (PRG) Spring 2019 Advanced Courses Program

April 15, 2018

Patent Resources Group (PRG) Spring 2018 Advanced Courses Program

Services

Litigation

Patent Litigation

Trade Secret Litigation

Post-Grant

Strategic Patent Counseling & Opinions

Industries

Electrical & Computer Technology

Software & Internet

Hardware

Semiconductors

Consumer Electronics

Telecommunications

Admissions

U.S. Patent and Trademark Office (2008)

Georgia (2008)

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

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

Education

J.D. with honors, University of North Carolina at Chapel Hill School of Law (2008) Journal of Law and Technology

B.S. *cum laude*, Computer Science Engineering, North Carolina State University (2002)
