

Justin M. Sobaje Special Counsel

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Justin Sobaje is special counsel and an intellectual property lawyer at Foley & Lardner LLP, where he counsels clients regarding all aspects of intellectual property, including patent litigation, patent prosecution, trademarks, and trade secrets. He manages patent portfolios for companies that cover a wide range of electronic and mechanical technologies, including computer hardware and software, wireless communications, image sensors, and medical devices. Justin is a member of the firm's Electronics and IP Litigation Practices.

He is a seasoned patent litigator with experience litigating in the most popular district court patent venues as well as before the International Trade Commission. He has developed tactics for the efficient resolution of cases and is particularly known for his skills in defending against patent trolls. He is able to provide a bridge between technical and legal concepts and has handled cases involving advanced technologies such as computer and storage system architectures, communication networks, encryption methods, payment systems, video transmission and recording devices, e-commerce websites, graphics processors, and semiconductor testing equipment.

With respect to patent prosecution, Justin interacts with clients to craft strategies for patent portfolios, including utility and design patent coverage, as well as patent coverage for foreign countries. He has years of experience in preparing patent applications and in communicating with the Patent Office to seek allowance. He has additional experience in the preparation of re-examination and *inter partes* review requests, and in the identification and presentation of prior art as a means of forestalling litigation or for use as a bargaining chip in settlement and licensing negotiations.

Prior to joining Foley, Justin worked at both NEC and Intel. At NEC, he worked with a team to design a compiler for a transport triggered processor. At Intel, he was a member of the operating systems group, where he developed and coded algorithms. He is the sole named inventor on two U.S. patents.

Presentations and Publications

- “The Evolving Standard for Pleading Direct Patent Infringement,” *IP Frontline*, Sep. 2016
- “Has the Machine-or-Transformation Test Returned to Prominence in Patent Cases?” *Cyberspace Lawyer*, Vol. 20, No. 2, Mar. 2015
- “Is the ‘Commil’ Defense Underutilized in Patent Cases?” *Law.com*, Nov. 2014
- “Permanent Injunctions in Patent Cases: Back in Style?” *IP Litigator*, Vol. 20, No. 5, Oct. 2014
- “Are Computer-Implemented Inventions Patent Eligible?” *Cyberspace Lawyer*, Vol. 19, No. 3, Apr. 2014
- “Network Processors and Methods Allowing for Prefetching Instructions Based On a Packet Type of a Packet,” U.S. Patent No. 8,462,789, Jun. 2013
- “Network Processors and Pipeline Optimization Methods,” U.S. Patent No. 8,179,896, May 2012
- “What Territory is Surrendered?” *Biotechnology Law Report*, Vol. 21, No. 6, Dec. 2002
- “System Level Power Optimization for Wireless Multimedia Communication,” *Kluwer Academic Publishers*, Ch. 4, 2002
- “Optimal Node Scheduling for Effective Energy Usage in Sensor Networks,” *Proc. IEEE Workshop on Integrated Management of Power Aware Communications, Computing, and Networking*, May 2002

Practice Areas

- [Commercial Litigation](#)
- [Electronics](#)
- [Intellectual Property](#)
- [Patent Litigation](#)
- [Trademark, Copyright & Advertising Litigation](#)

Education

- University of California, Los Angeles School of Law (J.D.)
 - Top 10% of his class
- University of California, Los Angeles (M.S.)
 - Computer science with an emphasis on computer networks
 - Recipient, Prestigious Intel Graduate Fellowship
- University of California, Los Angeles (B.S.)
 - Computer science and engineering

Admissions

- California
- U.S. Patent and Trademark Office