

David J. Cho Ph.D.

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David Cho is a litigator with a significant experience in handling complex intellectual property disputes. His experience includes writing motions and appellate briefs, arguing at hearings, and examining live witnesses. Dr. Cho has helped clients resolve patent issues before U.S. district courts, the U.S. Court of Appeals for the Federal Circuit, and the U.S. International Trade Commission. He also has experience in international arbitration concerning intellectual property issues. Dr. Cho has represented companies in a wide range of technologies such as semiconductors, lithography, computer memories, displays, solar cells, batteries, wireless power transfer, and gaming.

Dr. Cho has obtained an appellate victory before the Federal Circuit by securing an affirmance of a district court's patent ineligibility determination on gaming patents. Dr. Cho also actively practices before the U.S. Patent and Trademark Office. He has presented oral argument before the Patent Trial and Appeal Board, and has obtained favorable decisions in that forum for his clients.

As part of his pro bono practice, Dr. Cho has helped a client pursue a civil rights appeal before the U.S. Court of Appeals for the Fourth Circuit. He also has defended an incarcerated client against criminal charges in a Maryland state court.

Dr. Cho clerked for Judge Timothy Dyk at the U.S. Court of Appeals for the Federal Circuit and Judge Beth Labson Freeman at the U.S. District Court for the Northern District of California. He was a contributing editor at the Michigan Law Review. Prior to starting his legal career, Dr. Cho received his doctorate degree in Physics from the University of California, Berkeley, and authored research articles in the fields of optics and nanomaterials. He has served as a reviewer for numerous scientific journals, worked as a patent agent, and has counseled large technology companies, universities and hospitals, and startup companies on managing their patent portfolios.

Prior Experience

- Associate, Covington & Burling LLP, Washington, DC

EDUCATION

University of Michigan Law School,
J.D., 2017; *cum laude*, Michigan
Law Review, Contributing Editor

University of California, Berkeley,
Ph.D., Physics, 2012

Korea Advanced Institute of
Science and Technology (KAIST),
B.S., Physics, 2005; *summa cum
laude*

ADMISSIONS

2017, California

2020, District of Columbia

Registered to practice before
the United States Patent and
Trademark Office

- Patent Agent, Fish & Richardson PC, Boston, MA

Clerk & Government Experience

- Law Clerk to the Hon. Timothy B. Dyk, U.S. Court of Appeals for the Federal Circuit, 2019–2020
- Law Clerk to the Hon. Beth Labson Freeman, U.S. District Court for the Northern District of California, 2017–2018
- Judicial Intern to the Hon. Jed S. Rakoff, U.S. District Court for the Southern District of New York, 2015

Courts

- United States Court of Appeals for the Fourth Circuit
- United States District Court for the Northern District of California

Representative Matters

- Represented a multinational technology company before the Northern District of California in a patent infringement case related to LED technology
- Represented an international computer company before the Western District of Texas in a patent infringement case related to PCIe and USB technology
- Successfully represented a gaming company before the Federal Circuit by securing affirmance of patent invalidation as patent ineligible
- Successfully represented an OLED display manufacturer before the PTAB
- Represented a multinational technology company before the Eastern District of Texas in a patent infringement case related to OLED technology
- Represented a global photovoltaic cells company before the ITC in a Section 337 proceeding