



## John P. Lahad

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### *Overview*

There is nothing better than persuading a jury or a judge to find in favor of your client. I have experienced that rush often in my career and it drives how I practice law today – with a focus on presenting my client's story in the most clear and compelling manner possible. I look forward to discussing your story with you.

#### **TRIAL WINS**

I have secured major courtroom victories in a variety of practice areas across a diverse cross section of industries. My work has touched on spinal implants and related medical devices, polymer materials, healthcare and ERISA, mobile device software, radiation oncology software and instruments, and semiconductor design and fabrication.

For Linde Engineering in a construction dispute regarding a North Dakota gas plant, I was co-lead counsel in a 5-week jury trial in Harris County, Texas that resulted in a more than \$42 million judgment for Linde, in addition to more than \$22 million in pretrial recoveries. My team also defeated more than \$40 million in counterclaims. [Read more](#) (subscription required).

I represent repeat client, Globus Medical, Inc., as a defendant in multiple patent infringement cases pending across the country. Most recently, against Moskowitz Family LLC, we defeated an \$86 million patent infringement lawsuit, receiving a full defense verdict after an 8-day jury trial where I served as co-lead counsel and delivered closing arguments. [Read more](#). Also for Globus, in a trial against Flexuspine, Inc., I secured a full defense jury verdict in Tyler, Texas. After a week-long trial, the jury found the asserted patents non-infringed and invalid. [Read more](#).

As co-lead counsel to the University of Texas, I obtained a \$42 million verdict against Boston Scientific Corporation in patent infringement litigation the

District of Delaware. The patented technology involved polymers applied to cardiac stents. In addition to finding infringement and no invalidity, the jury also found that Boston Scientific's infringement was willful. [Read more.](#)

I helped secure a jury verdict of \$17 million in a patent infringement trial in Delaware on behalf of plaintiff Intellectual ventures against Symantec. The patented technology involved computer antivirus technology. [Read more.](#) I obtained a \$15.4 million verdict on behalf of PACT XPP Technologies, AG, in federal court in Marshall, Texas over allegations that Xilinx, Inc. and Avnet, Inc. had infringed two of PACT's patents via their sale of certain Xilinx-branded Field Programmable Gate Array (FPGA) devices. The jury found that both PACT patents were infringed and valid, and it further determined Xilinx's infringement to be willful. After enhancing the jury's verdict and awarding attorney's fees on account of the willfulness finding as well as adding costs and interest, the judgment in PACT's favor totaled approximately \$44 million. The case settled for a confidential amount while on appeal. [Read more.](#)

## BACKGROUND

I hold a J.D. from the University of Houston Law Center where I graduated *magna cum laude* and served as Case Notes and Comments Editor of the *Houston Journal of International Law*. I also earned an M.S., Molecular Biology and Human Genetics from the University of Texas before obtaining my law degree. I graduated with a B.S., Biomedical and Electrical Engineering from the University of Southern California.

I have been selected as a Rising Star by *Law & Politics Magazine* (Thomson Reuters) every year from 2014 to 2020. In 2021 and 2022 I was named a Super Lawyer by the same publication. When not practicing law, I enjoy spending time with my beautiful and supportive wife and our three wonderful children.

## Notable Representations

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### Intellectual Property

- ***Moskowitz Family LLC v. Globus Medical Inc. (E.D. Penn.)*** Served as co-lead trial counsel for Globus Medical Inc. and successfully defended the company against an \$86 million patent infringement claim by a Maryland doctor and his family. After an eight-day trial, a jury in the Eastern District of Pennsylvania found that not a single one of ten accused Globus products infringed a single one of Moskowitz's three asserted patents. [Read more.](#)
- ***Trustees of Purdue University v. ST Microelectronics (W.D. Tex.) and Trustees of Purdue University v. Wolfspeed (M.D.N.C.)*** Represent the Trustees of Purdue University in patent infringement actions against ST Microelectronics and Wolfspeed, Inc. Purdue alleges infringement of US

Patent No 7,498,633, which discloses a novel silicon carbide MOSFET. The cases are ongoing.

- ***The Board of Regents of the University of Texas System v. IDEXX Laboratories (189th District Court in Harris County, Texas)*** Obtained a \$51 million judgment for the Board of Regents of the University of Texas System (UT), in a breach of patent license lawsuit stemming from nearly 20 years of underpaid royalties by IDEXX Laboratories, Inc (IDEXX). UT's patents were drawn to Lyme Disease detection technology, and UT alleged that IDEXX underpaid for the life of the license. The Court concluded that UT's interpretation of the unambiguous contractual language was correct and that IDEXX had underpaid UT royalties owed for sales of IDEXX's SNAP Products, tests used to detect Lyme disease, other tick-borne diseases, and heartworm in animals. The District Court awarded back royalties, contractual interest, and attorneys' fees, resulting in a judgment of over \$51 million.
- ***University of Pittsburgh v. Cochlear Limited (W.D. Tex.)*** Secured favorable settlement for the University of Pittsburgh in a patent infringement action against Cochlear Limited involving energy transfer mechanisms in cochlear implants.
- ***Flexuspine v. Globus Medical (E.D. Tex.)*** Secured a complete victory in Tyler, Texas, on behalf of Globus Medical in spinal implant patent infringement litigation brought by Flexuspine, Inc., a Tyler company. The jury issued a defense verdict entirely in Globus Medical's favor. [Read more.](#)
- ***Mobius Medical Systems v. Sun Nuclear Corp. (S.D. Tex.)*** Represented Texas-based Mobius Medical Systems, LP in litigation against Sun Nuclear Corporation. Mobius and its founder Dr. Nathan Childress came to me after a former exclusive distributor released a competitive product that incorporated Mobius's confidential and proprietary trade secrets. We filed suit and immediately obtained a preliminary injunction enjoining Sun Nuclear from promoting, marketing, and selling the offending product. The case settled about a year later. Part of the settlement included this [permanent injunction](#).
- ***PACT XPP Technologies v. Xilinx et al. (United States District Court, E.D. Texas, Marshall Division)*** Obtained a \$15.4 million verdict on behalf of PACT XPP Technologies, AG, in federal court in Marshall, Texas over allegations that Xilinx, Inc. and Avnet, Inc. had infringed two of PACT's patents via their sale of certain Xilinx-branded Field Programmable Gate Array (FPGA) devices. The jury found that both PACT patents were infringed and valid, and it further determined Xilinx's infringement to be willful. After enhancing the jury's verdict and awarding attorney's fees on account of the willfulness finding as well as adding costs and interest, the judgment in PACT's favor totaled approximately \$44 million. The case settled for a confidential amount while on appeal. [Read more.](#)

- ***Rockstar v. Google (E.D. Tex.)*** Represented a consortium of major patent owners in their patent infringement suit against Google. The case ultimately resulted in a settlement and sale of the patents for \$900 million
- ***Intellectual Ventures I LLC v. Symantec Corp. (D. Del.)*** Obtained a jury verdict of \$17 million in a patent infringement trial on behalf of Intellectual Ventures against Symantec. [Read more.](#)
- ***University of New Mexico v. Samsung and TSMC (W.D. Tex.)***. Represented University of New Mexico in patent infringement litigation against Taiwan Semiconductor Manufacturing Company and Samsung. The infringement allegations were directed to the defendants' FINFET semiconductor technology incorporated. These cases resulted in confidential settlements.

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## Other Complex Commercial Litigation

- ***Linde Engineering North America Inc. v. Crestwood Midstream Partners LP (133rd District Court in Harris County, Texas)*** Secured a \$42 million judgment as co-lead trial lawyer to Linde Engineering in a construction dispute regarding a North Dakota gas plant. The judgment followed a five-week jury trial and was in addition to more than \$20 million in pretrial recoveries. [Read more](#) (subscription required).
- ***John Paul DeJoria v. Maghreb Petroleum Exploration, S.A. and Mideast Fund for Morocco, Limited (Fifth Circuit)*** Served as counsel to Maghreb Petroleum Exploration S.A. and Mideast Fund for Morocco Ltd. in a suit to enforce a \$122 million judgment from a court in the Kingdom of Morocco against Patron Tequila co-founder John Paul DeJoria under Texas's version of the Uniform Foreign Country Money Judgments Recognition Act. In a win for my client, the Fifth Circuit reversed the trial court's determination that the Morocco Court judgment should not be recognized (read the opinion [here](#)). In securing this result, I read and analyzed nearly every publicly available decision in the U.S. involving the Uniform Recognition Act. [Read more.](#)
- ***Humble Surgical Hospital v. Cigna (S.D. Tex.)***. Won over \$19 million in a judgment for Houston-based Humble Surgical Hospital against Cigna. In this ERISA lawsuit, I represented Humble Surgical Hospital against Cigna to recover for hundreds of surgeries performed on Cigna's insured patients. The Court awarded 100% of Humble's actual damages, 100% of the requested attorney fees, a \$2.3 million ERISA penalty, prejudgment interest and costs. Additionally, the Court ruled that Cigna take nothing in its claims against Humble. This case was closely watched by the medical community and was widely reported in the press.
- ***Circuit City Liquidating Trustee Litigation.*** Represented the Liquidating Trustee of the Circuit City Estate in opt-out antitrust actions against various defendants who conspired to fix the price of cathode-ray tubes ("CRTs"), causing Circuit City to pay more for products containing CRTs (televisions and computer monitors) than it otherwise would have had to

pay. Achieved cumulative settlements in the hundreds of millions of dollars.

- **Securities America FINRA Arbitration.** Represented a group of 80 clients who lost millions of dollars, they had invested in privately placed notes offered by Securities America. Using Securities America's brokers, Medical Capital Holdings created a series of special purpose entities that issued more than \$2 billion of the notes before Medical Capital was revealed as a Ponzi scheme. The FINRA arbitration against Securities America was the largest of the scores of arbitrations brought against Securities America in the United States. Working closely with my team, I litigated and negotiated a hard-fought nationwide settlement of all the arbitrations and class actions in the country against Securities America relating to the sale of Medical Capital notes.
- **Marshall v. Marshall (Harris County Probate Court)** Represented Preston Marshall, , grandson of the late J. Howard Marshall II, in a multi-jurisdictional dispute against his mother Elaine Marshall and older brother Pierce Marshall, Jr. regarding the family business, his father's will, and several trusts. Elaine and Pierce, Jr. attempted to deny my client his inheritance in contradiction of the express wishes of his father and grandfather. Our team obtained a preliminary injunction preventing Elaine Marshall from her continued breaches of fiduciary duty, and a year later, obtained summary judgment that Mrs. Marshall's attempt to siphon away trust assets by grossly overpaying unqualified co-trustees constituted a violation of the controlling trust documents.

## *Honors & Distinctions*

- *Lawdragon* 500 Leading Litigator ([2024](#))
- Super Lawyer ([2024](#), [2023](#), [2022](#), 2021, Thomson Reuters)
- Case Notes and Comments Editor, *Houston Journal of International Law*
- Order of the Coif
- Order of the Barons

## *Clerkships*

Honorable David Folsom, United States District Court for the Eastern District of Texas, 2009-2010

## *Education*

**The University of Houston Law Center** (J.D., magna cum laude, 2009)

**The University of Texas** (M.S., Molecular Biology and Human Genetics, , 2005)

- Health Science Center

**The University of Southern California** (B.S., Biomedical and Electrical Engineering, , 2002)

## *Admissions*

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### **Bar Admissions**

- Texas

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### **Court Admissions**

- United States Supreme Court
  - U.S. District Court for the Eastern District of Texas
  - U.S. District Court for the Southern District of Texas
  - U.S. District Court for the Western District of Texas
  - U.S. Court of Appeals for the Fifth Circuit
  - U.S. Court of Appeals for the Federal Circuit
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- Houston Intellectual Property American Inn of Court (2013 to present)

## *Leadership & Professional Memberships*