

Shawn Raymond's Track Record

Key Intellectual Property Cases

April 2020—Trey Peacock, Krisina Zuniga, co-counsel Scott Hastings, and I secured a nearly \$40 million judgment for client Repeat Precision LLC – the defendant! – in a case brought by Diamondback Industries, Inc. in federal court in Waco, Texas, that involved a little bit of everything: patent infringement, antitrust, theft of trade secrets, breach of contract, and tortious interference. After a bench trial, the court dismissed with prejudice all of Diamondback's affirmative claims and awarded \$39,946,902 in damages (not including attorney's fees and costs) to Repeat Precision for its counterclaims against Diamondback. The court wrote this about my questioning of Diamondback's CEO at trial: "Mr. Drury's credibility, in particular, was shredded on cross-examination."

October 2012—Hired by S&P 500 company Quanta Services, Inc. about one month before the Markman Hearing involving Quanta's key patent known commercially as the LineMaster robotic arm, I took over the prosecution of this patent infringement case, which had been pending for nearly a year. Following Mr. Raymond's argument, the court issued a ruling that construed all of the terms at issue in favor of Quanta. Shortly thereafter, the defendants stipulated as to infringement, and the case settled.

August 2007—Steve Susman and I, along with New York co-counsel won the appeal of a trial court's order granting summary judgment for their client, IntercontinentalExchange, Inc. ("ICE"), in a copyright infringement case brought by the New York Mercantile Exchange, Inc. ("NYMEX") in federal court in New York. The Second Circuit Court of Appeals upheld the dismissal of all of NYMEX's claims against ICE.

September 2005—Serving as lead counsel, Steve Susman and I won summary judgment for their client, IntercontinentalExchange, Inc. ("ICE"), in a copyright infringement case brought by the New York Mercantile Exchange, Inc. ("NYMEX") in federal court in New York. NYMEX claimed that ICE violated its intellectual property rights and sued for copyright infringement, service mark infringement, violation of the federal and New York State Anti-Dilution statutes, and tortious interference with contract. NYMEX sought tens of millions of dollars in damages and an order barring ICE from referencing NYMEX settlement prices. The court granted ICE'S motion for summary judgment and denied NYMEX's crossmotion for summary judgment

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