



## Jay R. Campbell

### Partner

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Jay Campbell is the rare intellectual property trial lawyer who has tried numerous patent cases to a jury—including one in which he received the largest jury verdict of the year in Arizona.

Over the past 30 years, Jay has tried patent cases to both judge and juries and argued appeals before the U.S. Court of Appeals for the Federal Circuit. He has tried cases in courts all over the United States, including Ohio, Arizona, California, Colorado, Delaware, Florida, Illinois, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, Pennsylvania, Texas, Washington, Wisconsin, and Washington, D.C. He represents clients in diverse technological fields, from artificial intelligence and surgical guidance systems to water bottles. ??

Jay has an engineering degree as well as a background in theatre that he puts to good use in trying a case. Jay's mantra is that the easiest way to lose a patent case is to try it like a patent case. He thus focuses on developing an engaging and informative story focusing on the individuals in the litigation, rather than the often-dry technology. He finds that the jury pays more attention to and becomes more interested in such a story. Jay's track record bears that out.

In 2022, Jay concluded a decade-long case after a jury trial in which the plaintiff was seeking \$1.8 billion and the client paid nothing. In 2021 – although he traditionally tries high technology IP cases – Jay tried a case involving a popular children's toy before a state court jury. The Honorable Kimberly A. Moore of the Federal Circuit once called Jay's cross-examination of the opponent's CEO a "Perry Mason" moment unlike any she had ever seen in a patent case.??

Jay has served as an expert witness and consultant in IP cases throughout the country, as well as a mediator in IP and technology-related cases. He also presents lectures on persuasive writing and trial practice.

Jay enjoys golfing anywhere at any time.

### **Education**

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- The University of Akron School of Law (J.D., 1989); Akron Law Review
- The Ohio State University (B.S. in Mechanical Engineering, 1985)

### **State Admissions**

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- Ohio, 1989

### **Federal Admissions**

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- Supreme Court of the United States
- United States Patent and Trademark Office
- United States Court of Federal Claims
- United States Court of Appeals, Federal Circuit
- United States District Court, District of Colorado
- United States District Court, Northern District of Ohio
- United States District Court, Southern District of Ohio

### **Service Areas**

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- Intellectual Property
- IP Litigation
- Patent Procurement
- Post Grant Proceedings
- IP Business Strategy & Agreements
- Section 337 Investigations
- Business Litigation
- Artificial Intelligence & Autonomous Vehicles
- Trademarks
- Patent Litigation
- Technology Transfer
- Health & Life Sciences

## Experience

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- Obtained a resolution of a patent infringement case for a medical device manufacturer where the plaintiff sought nearly \$2 billion in damages, yet our client paid nothing
- Represented a computer chip testing company before the U.S. Court of Appeals for the Federal Circuit resulting in a favorable ruling affirming over \$10 million in damages
- Obtained a retrial on patent invalidity resulting in a favorable settlement of all claims after an adverse jury verdict obtained by a different firm
- Obtained the largest Arizona jury verdict in 2011 with a judgment of willful infringement, treble damages, and attorney fees of nearly \$40 million
- Defended a party in a contract and patent dispute resulting in a settlement far below the plaintiff's demand
- Defended a snow plow manufacturer in a jury trial that resulted in a finding of noninfringement and a low damages verdict on other claims
- Obtained a finding of noninfringement of four patents in a jury trial in which plaintiff sought approximately a quarter of a billion dollars in damages; obtained an award of attorney fees against the plaintiff and its law firm
- Obtained sanctions against a defendant and its national law firm for misrepresentations made in a preliminary injunction proceeding
- Obtained a jury verdict of willful infringement resulting in a multimillion-dollar settlement for an individual inventor
- Won several affirmances of cases in the U.S. Court of Appeals for the Federal Circuit

## Publications & Events

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### SPEAKING ENGAGEMENTS

- "When Your Car Is Smarter Than You" and "Protecting Your Innovation from A to Z," 2018 In-House Counsel Summit, Tucker Ellis LLP, Cleveland, Ohio (October 2018)
- "Legal Issues Related to the Development of Automated, Autonomous, and Connected Cars," Ohio State Bar Association WebCast (June 2018)
- "Post-Grant Review: A Second Bite at the Apple," Hot Topics in Intellectual Property, Tucker Ellis LLP, Cleveland, Ohio (May 2015)
- "Evaluating and Improving the Value of Intellectual Property," 2014 In-House Counsel Summit, Tucker Ellis LLP, Cleveland, Ohio (October 2014)

### PUBLICATIONS

- "What Makes Autonomous Vehicles Autonomous?," *WardsAuto* (July 2018)

### MEDIA QUOTES

- "MRI Patent Suit Tests Bounds of *Williamson*," *Law360* (August 2016)

### **Honors**

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- Chambers USA
  - » Intellectual Property (Ohio)
- *IAM Patent 1000*
  - » United States: Ohio
- IP STARS
  - » Patent Star
- Ohio Super Lawyers®
- Who's Who in Intellectual Property Litigation

### **In the Community**

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- Cleveland Intellectual Property Law Association
- American Intellectual Property Law Association
- American Bar Association