

Eric H. Chadwick

Attorney / IP Litigation Practice Group Co-Chair

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Minneapolis

Eric's practice includes representing clients in various technology and commercial disputes throughout the U.S. He focuses primarily on intellectual property litigation and works with his clients to achieve goal-oriented litigation. Eric has taken ten cases to verdict, in matters ranging from life-saving medical devices to farming technology.

Prior to entering private practice, Eric served as law clerk to the Honorable Peder B. Hong in Minnesota's First Judicial District.

Client Recommendations:

Eric represented H&S Manufacturing in a contentious, patent infringement matter, which was a bet-the-company case. Its Chairman and CEO, Chris Heikenen, noted, "I knew Eric was crackerjack smart and quick, but was stunned by his skill in the heat of the battle. It was a tough case and we got the best outcome we could reasonably expect in light of some unanticipated pretrial rulings. My company, my retirement, everything was on the line. If things had gone badly, I would have been in a world of hurt. There was no one I would rather have had to represent me." - *Chris Heikenen, Chairman and CEO, H&S Manufacturing Co. Inc.*

Notable Representations:

- Represented defibrillator manufacturer against competitor and secured \$23 million verdict for breach of patent cross-license.
- Represented souvenir wholesaler and major retailer in trademark/false advertising dispute – invalidated competitor trademarks with no liability.
- Represented client in the agricultural equipment industry – while the client was found to infringe a competitor's patents, the jury awarded the plaintiff a small fraction of what was sought, and

substantially less than the competitor was ready to accept as settlement.

- Represented manufacturer of high-speed data storage testing solutions against multiple infringers – cases settled with seven-figure payment, redesigns of infringing products and no licenses.
- Represented computer software manufacturer against numerous charges of patent infringement by non-practicing entities – all cases resolved favorably without any payment to plaintiffs.

Articles and Presentations:

- False Advertising – Traps & Tips!, Minnesota Association of Corporate Counsel (CLE), June 2021
- Third-Party Litigation Funding (TPLF) for Patent Infringement Litigation – Wisconsin Intellectual Property Law Association (CLE), November 2020
- Subject Matter Eligibility post Alice: A Boon Or A Bane For Tech Companies? - *Hennepin Lawyer*, February 2020

- Responding to a Patent Infringement Cease and Desist Letter, *DeWitt LLP News Feed*, December 12, 2019

- The Nuts and Bolts of Court-Ordered Mediation, *DeWitt LLP News Feed*, December 12, 2019
- A New Weapon for Tech Companies to Fend off Trolls, *Hennepin Lawyer*, January/February 2019, Volume 88, Issue 1
- Burberry vs. Target: Drawing the line between inspiration and infringement, *Star Tribune*, August 20, 2018
- Patent Trolls – Separating the Myth from Reality, *MA Insider*, January 2014
- Alternative Fee Arrangements for Litigation Matters, *Ideas on Intellectual Property Law*, June/July 2012
- A New Year, a New Law: Patent Rights Under a First-to-File Regime, *MA Insider*, December 2012

Expertise

- Intellectual Property
- Copyrights
- Information Technology Software
- Licensing and Technology Transfer
- Medical Devices
- Patents
- Trade Secrets
- Trademarks

- Intellectual Property Litigation
- Litigation
- Copyright Litigation
- Patent Litigation
- Trade Secret Litigation
- Trademark Litigation

Education

- J.D., *cum laude*, William Mitchell College of Law
- B.S., Industrial Engineering, Iowa State University

Affiliations

- American Intellectual Property Law Association
- Minnesota Intellectual Property Law Association
- Minnesota State Bar Association

Admissions

- U.S. Courts of Appeal for the 8th and Federal Circuits
- U.S. District Court - District of Colorado
- U.S. District Court - District of Minnesota
- U.S. District Court - Eastern and Western Districts of Wisconsin
- U.S. Patent and Trademark Office (USPTO)

Awards and Recognitions

- Fellow of the Litigation Counsel of America (inducted in 2016)
- *IAM Magazine* Patent 1000, since 2014
- *Best Lawyers*® in America since 2016
- *National Law Journal* Top 100 Verdicts of 2015
- Super Lawyers – 2008
- Super Lawyers, Rising Star, 2006 – 2008