



DAVID A. ROODMAN

Partner

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BIOGRAPHY

Dave focuses his practice on intellectual property litigation, appeals, transactions, licensing, counseling, opinions, and protection including matters relating to patents, trademarks, service marks, trade dress, dilution, copyrights, trade secrets, e-commerce, entertainment, unfair competition, false advertising, domain name disputes, and technology-related matters. He is a former leader of the Intellectual Property Client Service Group – a position he held for nine years.

Dave has handled complex intellectual property litigation and transactional work throughout the United States for over 35 years. He represents companies and individuals in a wide range of fields including, among others, consumer products, pet food, electro-mechanical machines, devices, and processes, software, business method patents, biotechnology, e-commerce, advertising, entertainment (music, video, films, endorsements), information and data providers,

telecommunications, mechanical hardware, sporting goods, and games and recreational equipment.

CIVIC INVOLVEMENT & HONORS

- *Chambers USA*, Intellectual Property, 2014-2024
- *The Best Lawyers in America*, Litigation - Intellectual Property, Patent Law, and Trademark Law - 2002-2017, 2020-2024
- *Missouri Lawyers Weekly*, Intellectual Property POWER List, 2022-2023
- *Missouri/Kansas Super Lawyers*, 2006-2023
- Lawyer of the Year, Patent Litigation, *Best Lawyers*, 2016
- *Missouri Lawyers Weekly*, "Missouri's Best," 2009

PROFESSIONAL AFFILIATIONS

- Bryan Cave Intellectual Property Client Service Group – Leader, 1999-2008
- 22nd Judicial Circuit, Missouri Supreme Court – Chair, Disciplinary Committee, 2002-2006
- International Trademark Association (INTA)
- American Intellectual Property Law Association (AIPLA)

ADMISSIONS

- Illinois, 1991
- Missouri, 1990
- U.S. Patent and Trademark Office

EDUCATION

University of Missouri-Columbia, J.D., Order of the Coif, Order of the Barristers, 1990

University of Missouri-Columbia, B.S.M.E., 1984

RELATED PRACTICE AREAS

- Intellectual Property and Technology Disputes
- Outdoor Industry
- USPTO Trials & Reexaminations
- Sports & Event Financing
- Patents Litigation
- Trademark Litigation
- Sports & Entertainment Contract, Endorsement & Celebrity Representation Practice
- Anti-Doping Practice
- Sports & Event Venue Real Estate Infrastructure and Operation
- Naming Rights & Sponsorship Practice
- Sports & Entertainment M&A Practice
- Sports & Entertainment Litigation Practice
- Collegiate Sports Practice
- Sports & Entertainment Specialty Counseling Practice
- Entertainment Industry Practice
- Food & Beverage
- Olympic & National Governing Body Practice
- Professional Sports Team Practice
- Pubs, Clubs & Restaurants
- Trade Secrets
- Regulation, Compliance & Advisory
- Hotels and Hospitality
- Real Estate Retail
- Litigation & Dispute Resolution
- Financial Institutions
- Copyrights
- Food & Agribusiness
- Business & Commercial Disputes
- Retail & Consumer Products
- Sports & Entertainment

EXPERIENCE

- *DataTreasury v. Fiserv Inc., et al* (ED TX) (PTAB) (Defending client against allegations that check clearing processes infringe the claims of two patents) (Successful Covered Business Method review proceeding before the Patent Trial and Appeal Board)

- *Oil-Dri Corp. v. Nestlé Purina PetCare Company* (ND IL) (PTAB) (Defending client against allegations that animal litter infringes upon the claims of a patent) (Case successfully stayed during pendency of IPR before the Patent Trial and Appeal Board)
- *Nordyne, Inc. v. RBC Manufacturing Corporation* (ED MO) (Favorable outcome in a declaratory judgment action seeking non-infringement and/or invalidity of a motor control patent)
- *ECIMOS, et al. v. Nortek Gloval HVAC* (WD TN) (Defending client against allegations of misappropriation of trade secrets, copyright infringement, and breach of contract)
- *Express Scripts, Inc. v. INTEL Corporation* (ED MO) (Represented Express Scripts in declaratory judgment action for non-infringement of a trademark)
- *Nestec S.A. v. Wysong Corporation* (ED MO) (Successfully represented Nestec S.A. in a patent infringement action involving probiotics in food compositions)
- *Vyatek v. Karsten Manufacturing and PING, Inc.* (D AZ) (Successfully defended clients against allegations of patent infringement – golf clubs)
- *Picture Patents, LLC. v. Tweeter Newco, LLC, et al.* (SD NY) (Defended clients against allegation of infringing patent directed to website content; procured extremely favorable settlement)
- *Allen Brothers v. Agri Beef Co.* (ND IL) (Successfully defended Agri Beef against allegations of trademark infringement; obtained summary judgment of non-infringement)
- *Cybercard Corporation v. Gemplus Corporation* (S.D. NY) (Successfully defended Gemplus against allegation that certain telecommunications card systems infringed the claims of Cybercard's patent; case resulted in favorable settlement)
- *Vardon Golf Co. v. Karsten Mfg. Co.* (N.D. IL.) (Successfully obtained jury verdict on behalf of defendant Karsten and Ping, Inc., where there was a finding of non-infringement, inequitable conduct against the plaintiff, and partial invalidity; obtained \$2.1M judgment against plaintiff)
- *Express Scripts, Inc. v. Liberty Express Scripts* (ED MO) (Successfully obtained Consent Judgment against Liberty Express Scripts regarding service mark infringement)
- *Brookstone Company, Inc. v. Décor Craft, Inc., and Restoration Hardware, Inc.* (E.D. MO) (Represented plaintiff Brookstone in this patent infringement case; obtained Consent Injunction and Order against one of the defendants, and a favorable settlement from the second defendant)
- *Brookstone v. Cornerstone Brands, Inc. and Cimmar L.P., d/b/a Frontgate* (E.D. MO) (Represented plaintiff Brookstone in this patent infringement case; obtained a Consent Injunction against the defendants)

- *Sharper Image Corp. v. Brookstone Company, Inc.* (N.D. CA) (Procured favorable settlement on behalf of defendant Brookstone in this patent infringement case)
- Recording Industry of America (Served as regional counsel in copyright actions against illegal file-sharers)
- *Matrex Furniture Components, Inc. v. Skelly Foam Products, Inc., et al.* (M.D. NC) (Obtained favorable settlement on behalf of plaintiff Matrex in this patent infringement and misappropriation of trade secret case)
- *Zevo Golf Co., Inc. v. Karsten Manufacturing Corporation* (Fed. Cir.) (S.D.CA) (Successfully obtained summary judgment, and affirmance thereof, of non-infringement of asserted patents on behalf of Karsten and Ping)
- *Leggett & Platt v. Hickory Springs* (Fed. Cir.) (N.D. IL. 2001) (Obtained reversal of summary judgment of non-infringement of a patent on appeal on behalf of plaintiff Leggett & Platt)
- *Lemelson Medical, Education & Research Foundation v. Express Scripts, et al.* (D. AZ) (Successfully defended Express Scripts in this Lemelson action. Case was recently dismissed with no payments of any fees or royalties)
- *Integrated Network Technologies, Inc. v. Ray Allen, Inc.* (ND IL) (Obtained favorable settlement on behalf of defendants against claims of copyright infringement, breach of contract, and related issues)
- *American Legion v. American Legion* (E.D. MO) (Successfully obtained favorable settlement on behalf of plaintiff National American Legion in trademark infringement action)
- *Murphy & Company v. Central Bank* (ED MO) (Defending client against allegations of copyright infringement)
- *Triumph Pharmaceuticals v. Discus Dental* (ED MO) (Successfully defended Discus Dental against allegations of false advertising; case resulted in favorable settlement)
- *Meridian Enterprises Corp. v. C/Base, Inc., et al.* (E.D. MO) (Successfully defended CardEx against allegation of patent infringement (value/debit cards); case resulted in favorable settlement)
- *Applebee's Int'l v. Societe Des Produits Nestle S.A., et al.* (D KS) (Successfully defended Nestle against allegation of trademark infringement; case resulted in favorable settlement)
- *Willie Woods v. Atlantic Recording Corporation, et al.* (E.D. MO) (Represented defendants against allegations of copyright co-ownership, unfair competition, and an accounting; favorable settlement.)

- *Formstore, Inc. v. AmeriComm Direct Marketing, Inc.* (E.D. MO) (Successful resolution of case for patent infringement; validity; inventorship)
- *Allcare v. Express Scripts, et al.* (N.D. TX) (Represented Express Scripts in the patent infringement action; obtained favorable settlement on behalf of client)
- *Usher's Waterworks, Inc. v. The Boeing Company*, 36 F. Supp. 2d 1166, 38 F. Supp. 2d 783 (E.D. MO), aff'd 2000 WL 278731 (Fed. Cir.) (Obtained summary judgment on behalf of Boeing, and affirmance on appeal, from allegations of patent co-inventorship and breach of confidentiality agreement)
- *IMAX Corporation v. World Odyssey and The Jefferson National Expansion Historical Assn.* (E.D. MO) (Clients were World Odyssey and JNEHA; obtained favorable settlement on behalf of both clients in this patent infringement action)
- *Anheuser-Busch, Incorporated v. The Stroh Brewery Company* (E.D. MO) (Successful resolution of trademark infringement; trade dress infringement; dilution; and unfair competition on behalf of AB)
- *The Washington University v. Karademir, et al.* (E.D. MO) (Obtained consent judgment, and enforcement thereof, on behalf of Washington University for service mark infringement)
- *Hartco Company, Inc. v. Leggett & Platt, Incorporated* (N.D. IL) (Successful resolution of patent infringement case on behalf of L&P)
- *Roton Barrier, Inc., et al. v. The Stanley Works*, 79 F.3d 1112 (ED MO, Fed Cir.) (Judgment against Stanley for misappropriation of trade secrets, affirmed on appeal)
- *Rawlings Sporting Goods Company, Inc. v. Charles O. Finley* (E.D. MO) (Successful settlement on behalf of Charles O. Finley in this patent infringement and breach of contract case)
- *Clipper Cruise Lines, Inc. v. Star Clipper, Inc.*, 952 F.2d 1046 (8th Cir.) (Reversal of district court judgment against Star Clipper for trademark infringement)

RESOURCES

SPEAKING ENGAGEMENTS

- "Developments in Patent and Trademark Litigation and Legislation," American Corporate Counsel Annual Meeting, 2006
- "Trademark Law," Bar Association of Metropolitan St. Louis, 2003-2006

- "Trade Secrets," Bar Association of Metropolitan St. Louis, 2002

RELATED INSIGHTS

Awards

Aug 17, 2023

The Best Lawyers in America® 2024

News

Jun 01, 2023

Chambers USA 2023

News

Dec 15, 2022

Four from BCLP recognized by 'Missouri Lawyers Weekly' as top intellectual property lawyers

Awards

Aug 18, 2022

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Chambers USA 2022

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