



David T. Movius

**Member Member
Cleveland**

E: dmovius@mcdonaldhopkins.com

P: 216.430.2029

Practice Focus

- Intellectual property
- Intellectual property litigation and dispute resolution
- Data privacy litigation
- Trade secret, non-compete and unfair competition
- Appeals
- Emerging technologies
- Patents
- Copyrights
- Branding strategies and trademarks
- Blockchain technology
- Litigation finance

Working across all areas of intellectual property, David develops and implements creative and effective business-driven strategies to protect and commercialize technologies, products, brands and content, both domestically and internationally. He is the chair of McDonald Hopkins' Intellectual Property Litigation Practice Group.

David provides strategic counseling to a wide range of businesses, from early-stage and startup companies to publicly-traded corporations, not-for-profits and governmental bodies. David has extensive experience litigating patent, trademark and trade dress, copyright, trade secret, unfair competition, and public records disputes in federal and state courts, and he is registered to practice before the U.S. Patent and Trademark Office. Additionally, David counsels and advises clients on technology and intellectual property transactions, including development and implementation of complex licensing programs, software development, acquisition and implementation, content distribution, sponsorships and endorsements, joint ventures, secured financing, and mergers and acquisitions.

David's experience covers a broad array of industries and technical fields, including computer software development and systems implementation, relational databases, mainframe and middleware systems, specialty chemicals, health care, precious metals, household and consumer electronics, medical devices and imaging, genetic testing, tier and after-market automotive suppliers, financial services, retro-reflective films, injection molding, sports memorabilia, heavy equipment, ceramics, automation and industrial controls, internet technology and domain names, aerospace, nutritional supplements and food additives, consumer products, pneumatic tools, infra-red vision systems, pet care products, and specialty fasteners.

David Movius

David earned a J.D., magna cum laude, from American University Washington College of Law in 1998. He received a B.A. in Computer Science from the University of Puget Sound in 1995.

Representative Cases/Matters

- Patent trial counsel for market-leading manufacturer of high-performance specialty blending products.
- Lead appellate counsel for multiple Federal Circuit appeals.
- Lead counsel for multiple public records mandamus actions before the Ohio Supreme Court, including special counsel for Cuyahoga County (Ohio) Recorder.
- Lead trial and appellate counsel for specialty chemicals manufacturer in successful trade secret litigation relating to a formula and process for producing high-performance polymeric adhesive curing agents.
- Developed comprehensive licensing, distribution and resale programs for provider of highly integrated enterprise-scale accounting, finance and procurement software systems.
- Lead counsel for defense of trade secret litigation relating to implementation of docketing and case management system.
- Negotiated specialty materials development and supply agreements for medical device manufacturer.
- Represented multiple parties before the Trademark Trial and Appeal Board for opposition and cancellation proceedings.
- Litigation counsel for Tier 1 automotive supplier for defense of patent infringement action relating to gas-assisted injection molding technology.
- Represented computer technology development firm in multi-million dollar acquisition and cross-licenses of life-sciences software and business operations.
- Litigation counsel for automotive accessory manufacturers for numerous utility and design patent infringement actions.
- Secured multi-million dollar settlement on behalf of \$80B financial institution for misappropriation of trade secret mainframe computer software.
- Represented Fortune 500 company in trade secret litigation relating to process and equipment for manufacturing precision optical films.
- Successful trademark infringement action on behalf of national financial institution.

Admissions - Court

- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Appeals for the 6th Circuit
- U.S. District Court for the District of Colorado
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Northern District of Ohio
- U.S. District Court for the Southern District of Ohio
- U.S. District Court for the Southern District of Indiana
- U.S. Supreme Court

Admissions - State

David Movius

- Ohio

Education

- American University Washington College of Law
- University of Puget Sound

Honors and Awards

- Selected for inclusion in *Ohio Rising Stars* (2012 and 2013)

Public Service and Volunteerism

- Rocky River City School District Strategic Planning Committee, Technology Action Team
- Beach Cliff No. 1 Board of Trustees
- MC² STEM School (Cleveland Metropolitan School District), former Advisory Board Member

Accreditation

- U.S. Patent and Trademark Office

Alerts

- No new normal for IP litigation deadlines in the age of coronavirus

News

- McDonald Hopkins announces Todd Benni and David Movius will lead new Intellectual Property Practice Groups
- "Pro-voucher group suing Ohio district over list of students"
- Supreme Court of Ohio hears case on whether schools can withhold public record information

External Publications

- Ohio New Sales Representative Stature, OSBA Corporate Counsel News (2000)
- Contributor, "Doing Business In and With the United States" (1999)
- "Bernstein v. United States Dep't of State: Encryption, Justiciability and the First Amendment," 49 Admin. L. Rev. 1051 (1997)
- "United States Department of Justice, Supplement to Federal Guidelines for Searching and Seizing Computers" (1997)
- Co-author, "Intellectual Property Protection in Cyberspace: Toward a New Consensus," Information Technology Association of America (1996)

Events

- Blockchain is coming: Are you ready? | Tuesday, October 9, 2018

Speaking Engagements

- “The Economics of the Hypothetical Negotiation, Life After the 25% Rule,” West LegalEdcenter, July 2011
- “Technology Issues Under Ohio's Public Records Act,” Cleveland Metropolitan Bar Association, January 2011
- “Lost Profit Patent Damages in the Presence of Non-Infringing Substitutes,” West LegalEdcenter, April 2010
- “The Social Media Phenomenon,” The Golf Exchange, ESPN Radio 760, August 2009
- “2009 Patent Reform Legislation,” Association of Corporate Counsel, Cleveland Chapter, June 2009
- “The Power of Angel Investing,” legal panelist, JumpStart, Inc., October 2006
- “How Not To Be A Target Of Opportunity: Information, Security and You,” hosted by Craintech, The City Club of Cleveland, November 2004