

Aarti Shah

Partner

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Services

Anti-Counterfeiting & Gray Markets
Life Sciences Patent Disputes
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Licensing, Transactions &
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Dispute Avoidance
Patent Due Diligence
Patents
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Trademark, Copyright &
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Industries

Chemicals
Electronics & Computer
Technology
Health & Life Sciences
Medical & Surgical Devices
Retail & Consumer Goods
Technology



Aarti Shah focuses her practice on patent litigation and has extensive experience as trial counsel. She assists companies in all industries, particularly high tech and life sciences, to protect their innovations. Leveraging her insider's view gained during her time spent as a senior investigative attorney in the U.S. International Trade Commission (ITC), Aarti helps her clients develop and implement effective ITC strategies. She particularly enjoys simplifying technology for judges and juries, devising creative and pragmatic strategies, and working closely with in-house counsel. She has a particular interest in helping companies fight counterfeits and knockoffs.

Prior to joining the firm, Aarti was a member of an international law firm in its Washington, DC office where she focused her practice on patent litigation. Previously, Aarti gained extensive experience as trial counsel, having served in the ITC as a senior investigative attorney. During her tenure in the ITC's Office of Unfair Import Investigations, she served as lead counsel for the federal government in seven trials and in over 25 ITC investigations, covering trade secrets, trademarks, and electrical, computer, mechanical, and chemical patents. Prior to working with the ITC, Aarti practiced as a patent litigator in the Alexandria, Virginia office of an



international law firm where she handled district court litigations relating to computer, electrical, mechanical, and pharmaceutical technologies. She also handled appellate litigation before the Court of Appeals for the Federal Circuit and provided counsel on patent portfolios and infringement opinions.

Aarti is very active in pro bono matters, particularly those relating to women and children, and is listed in the D.C. Bar Pro Bono Honor Roll.

Aarti is frequently invited to write and comment on ITC litigation matters. She has limited working knowledge of Spanish and Gujarati.

Experience

Represented adidas AG, adidas North America, Inc., adidas America, Inc., and adidas International Trading AG in patent infringement and importation investigation at ITC brought by Nike, Inc., related to the design and manufacture of shoe uppers for knitted footwear, with related action in Oregon federal court. One of the largest patent cases in the footwear industry, the case involved nine U.S. patents from multiple distinct families of patents, each covering a different subject matter. After completing both fact and expert discovery, the case was settled on confidential terms shortly before the evidentiary hearing at the ITC. *In re Certain Knitted Footwear*, U.S. ITC Inv. No. 337-TA-1289; *Nike, Inc. v. adidas AG et al.*, No. 3:21-cv-01780 (D. Or.)

*Represented a multinational semiconductor company as complainant in the ITC asserting patents covering graphics processing technology employed by smart devices such as televisions and handsets. The four respondents included a multinational electronics company, a company that designs and sells televisions and sound bars, a semiconductor company, and a corporation that designs and builds high-performance system on a chip semiconductor technologies. Achieved settlement with the multinational electronics company prior to the conclusion of expert discovery. Following the evidentiary hearing, the presiding ALJ issued an initial determination finding a violation of Section 337 and recommending the imposition of an exclusion order against the remaining Respondents' accused products. The ITC affirmed the ALJ's finding of a violation on August 22, 2018. As a result, the Commission issued orders banning the importation of products made the remaining respondents and cease and desist orders against two of the remaining respondents.

*Represented owner of portfolio of graphics processing and microprocessor patents as complainant in an ITC investigation adverse to a number of automotive manufacturers and infotainment system and chip suppliers. Respondents included five automotive manufacturers, two technology companies, a semiconductor manufacturer, and two designers and manufacturers of car technology. The investigation instituted in January of 2016 and was resolved favorably prior to the conclusion of expert discovery in August of 2016.

*Represented maker of oligosaccharides used as supplements for infant formula. An ITC action was instituted in 2018 against a competing manufacturer. After an evidentiary hearing, in 2020 the client was granted a Limited Exclusion Order barring the competitor's infringing product from entering the United States.

*Represented owner of portfolio of communications and computing patents from former enterprise communications business unit of large multinational innovation company. An ITC investigation was instituted in August 2014 as to respondent several entities that included three multinational electronic technology companies. An additional multinational technology company participated as an intervenor. The investigation resolved prior to evidentiary hearing in June of 2015.

*Represented owners of the patent portfolio of a high-performance computing manufacturer as complainant in the ITC. Investigation was instituted in June 2013 and among the respondent entities were two multinational electronics companies, a company that designs and sells televisions and sound bars, and a telecommunications technology company. Most respondents settled. After an evidentiary hearing held over several days in May 2014. On August 29, 2014, successfully obtained a recommendation for a Limited Exclusion Order against the remaining respondent, which chose to settle while Commission review of the Administrative Law Judges Initial Determination was pending.

*Experience gained by attorney prior to joining Kilpatrick Townsend

Education

Georgetown University Law Center J.D. *with honors*

Harvard College A.B. Government, *cum laude*

Admissions

District of Columbia (2014)

Virginia (2000)

Court Admissions

U.S. District Court for the District of Columbia (2014)

U.S. District Court for the Eastern District of Virginia (2001)

Professional & Community Activities

International Trade Commission (ITC) Trial Lawyers' Association, Vice President and Executive Committee Member

ChIPs, Member

Insights

[Events](#)

Fireside Chat with Judge Bryan Moore



December 5, 2022

[Webinars](#)

An Overview of Patent Enforcement in the U.S. System: "You have a patent you suspect infringement. Now what?"

November 15, 2022

[Perspectives](#)

5 Key Takeaways | Litigating in Parallel with the PTAB: Do's and Don'ts for Concurrent ITC and District Court Litigation

February 14, 2022

[News](#)

Aarti Shah Quoted in Law360, "IP Attorneys Warn District Court 'Playbook' Useless At ITC"

January 31, 2022

[Events](#)

Litigating in Parallel with the PTAB: Do's and Don'ts for Concurrent ITC and District Court Litigation

January 27, 2022