

Kasey E. Koballa

Associate

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Services

Patent Litigation
ITC Section 337
Life Sciences Patent Disputes
Intellectual Property
Patents
Post-Grant Proceedings
Trade Secrets

Industries

Electronics & Computer
Technology
Retail & Consumer Goods
Chemicals
Media & Entertainment
Technology

Kasey Koballa focuses her practice on patent litigation matters. Kasey has handled cases throughout the litigation process, including pre-litigation strategy, motions to dismiss, claim construction, summary judgment, through trial and post-trial motions, in various U.S. district courts as well as patent infringement and importation investigations at the International Trade Commission. She represents companies that span a variety of industries, including technology, chemicals, consumer goods, semiconductors, and media. Kasey is also a registered patent attorney before the U.S. Patent and Trademark Office.

Recently, Kasey was a member of the trial team representing GREE, Inc. in a series of patent infringement suits against Supercell, resulting in over \$100 million jury verdicts in GREE's favor following two jury trials in 2020 and 2021.

While attending law school, Kasey worked as a summer associate with the firm in 2017 where she researched and wrote memoranda on matters including intellectual property litigation and patent prosecution for technological fields such as chemicals, pharmaceuticals, and biotechnology. She was Managing Editor of the *William & Mary Business Law Review*. Kasey served as a legal intern in the Technology Transfer Office at William & Mary Law School where she researched initiatives related to patents that William & Mary obtained for inventions and research discoveries and drafted a continuation-in-part patent application. Kasey also worked as a summer associate in the Raleigh office of a law firm based in North Carolina and at an intellectual property law firm based in Washington, D.C.

While attending North Carolina State University, Kasey was a Research Assistant in its Hyperthermophile Lab where she conducted research and performed lab experiments on genetically-engineered organisms that thrive in very high temperatures, determined the functionality of an inserted carbon-fixation pathway, and isolated genetic vectors of hyperthermophile adhesions through lab analyses.

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 (Administrative Law Judge Bhattacharyya); *Nike, Inc. v. adidas AG et al.*, No. 3:21-cv-01780 (D. Or.) (Judge You).

Represented GREE, Inc., a Japanese gaming and internet media company in a large-scale patent battle with Supercell, a Finnish mobile game development company. Kilpatrick Townsend launched suits involving more than 20 patents against Supercell. The case has led to a complex series of litigations in district court resulting in more than \$100 million in jury verdicts in favor of GREE, as well as at the PTAB and before the Federal Circuit. The Kilpatrick Townsend team obtained a jury verdict for GREE in the Eastern District of Texas of willful infringement, asserting five patents and an award of at least \$8.5 million for damages against Supercell in September 2020, and a second jury verdict of willful infringement in favor of GREE and an award of at least \$92 million in damages in May 2021. *GREE, Inc. v. Supercell Oy*, Nos. 2:19-cv-00237, 2:19-cv-00310, 2:19-cv-00311, 2:19-cv-00070, 2:19-cv-00071 (E.D. Tex.) (Judge Gilstrap).

Representing a leading *Fortune 500* technology company in patent infringement suits in the Western District of Texas and the Northern District of California.

Representing Meta Platforms, Inc. in a patent litigation action in the Western District of Texas. *VideoShare, LLC v. Meta Platforms, Inc.*, No. 6:21-cv-00254-ADA (W.D. Tex.) (Judge Albright).

Representing Broadcom Corporation in patent litigation actions in the Western District of Texas. *Panasonic Holdings Corp. v. Broadcom Corp.*, Nos. 6:22-cv-755, 6:22-cv-756 (W.D. Tex.) (Judge Albright).

Representing Lenovo (United States), Inc. in a patent litigation action in the Eastern District of North Carolina. *Shamrock Innovations, LLC v. Lenovo (United States), Inc.*, No. 5:22-cv-102-FL (E.D.N.C.) (Judge Flanagan).

Representing Syngenta Crop Protection, LLC in a patent litigation action in the Eastern District of North Carolina. *Syngenta Crop Protection, LLC v. Atticus, LLC*, No. 5:19-cv-00509-D (E.D.N.C.) (Judge Dever).

Represented Rothy's, Inc. in a design patent infringement action in the Northern District of California. Rothy's obtained a consent judgment and permanent injunction, validating Rothy's design patents. *Rothy's, Inc. v. Birdies, Inc.*, No. 3:21-cv-02438-VC (N.D. Cal.) (Judge Chhabria).



Represented Facebook, Inc. in a patent infringement action in the Western District of Texas. The plaintiff asserted a patent related to an operational support system framework against Facebook. The case settled. *BCS Software, LLC v. Facebook, Inc.*, No. 6:20-cv-695 (W.D. Tex.) (Judge Albright).

Represented Britax Child Safety, Inc. in a patent infringement action in the Eastern District of Pennsylvania. Plaintiff Britax asserted two patents related to convertible child car seats against defendants Nuna International BV and Nuna Baby Essentials, Inc. The case settled. *Britax Child Safety, Inc. v. Nuna International BV, et al.*, No. 17-cv-2724 (E.D. Pa.) (Judge Leeson).

Education

William & Mary Law School J.D. (2018) Intellectual Property Concentration, *CALI Award*

North Carolina State University B.S. (2015) Chemical and Biomolecular Engineering, Minor in Biotechnology, *summa cum laude, Valedictorian, Top 10 Scholar Athlete Award*

Admissions

North Carolina (2018)

District of Columbia (2020)

Court Admissions

U.S. Court of Appeals for the Federal Circuit (2019)

U.S. District Court for the Eastern District of North Carolina (2021)

U.S. District Court for the Eastern District of Texas (2020)

U.S. District Court for the Middle District of North Carolina (2019)

U.S. Patent and Trademark Office (2018)

Professional & Community Activities

International Trade Commission Trial Lawyers Association (ITCTLA), Member (2019-Present)

ChIPs | Advancing Women in Technology, Law and Policy, Member (2019-Present)

Junior League of Raleigh, Member (2020-Present)

Insights

[Publication](#)

Federal Circuit Finds Claim Is Not “Materially Broader” and Inventor Estopped From Challenging Asserted Claim
August 15, 2022



[Publication](#)

Inventor Argues Assignor Estoppel Does Not Apply to “Materially Broader” Claims

September 23, 2021

[Perspectives](#)

KT Client Success | \$100 Million Win for Client GREE in Mobile Gaming Patent Clash

June 11, 2021

[News Releases](#)

36 Kilpatrick Townsend Attorneys Named to the 2019 North Carolina Pro Bono Honor Society

May 28, 2020

[Publication](#)

The Biologics Price Competition and Innovation Act: Is a Generic Market for Biologics Attainable?

January 31, 2018