



PRACTICE AREAS

Litigation & Trial

Intellectual Property

Patent Litigation

EDUCATION

University of Illinois College of Law (JD, 2006, *cum laude*)

University of Illinois at Urbana-Champaign (BS, 2001, Electrical Engineering)

Dale represents clients in high-stakes patent and trade secrets litigation, with a focus on trial work. He has successfully litigated cases in every major patent venue across the US, including district courts, the International Trade Commission (ITC), and the Patent Trial and Appeal Board (PTAB), both as plaintiff and defense counsel.

Dale has played significant roles in over 20 trials. In 2022 alone, Dale notched three trial wins in a row, starting with a complete defense victory for Irving Consumer Products against First Quality in an April 2022 Delaware jury trial on tissue products. That was followed by a plaintiff-side win for Philip Morris in a June 2022 Virginia jury trial against RJ Reynolds on vaping devices. Dale capped the year off with a complete defense victory for SMR against Magna in a December 2022 Michigan jury trial on side-view car mirrors.

In addition to his recent jury wins, Dale first-chaired a PTAB trial in a pivotal IPR of a patent on which the patentee had prevailed at the ITC. The PTAB found all claims invalid in January 2022. Earlier that month, Dale obtained another complete victory from the PTAB, in a post grant review of a patent asserted in district court. He has since first-chaired several other PTAB trials with a 100% win rate.

Dale has also successfully litigated trade secrets cases, including LG Chem's landmark 2020 win at the ITC in its high profile trade secrets case against SK Innovation on electric car batteries.

Other notable achievements include 2018, 2016, and 2014 jury wins in the Eastern District of Virginia and the District of Delaware as well as major victories at the ITC in 2020, 2017, and 2015.

Prior to joining Russ August & Kabat, Dale was counsel at Latham & Watkins, where he litigated IP cases for over 15 years.

Other representative matters include:

- *InterDigital v. ZTE*, as counsel for InterDigital in asserting three patents relating to 3G and Wi-Fi technologies; jury found all asserted claims infringed and valid.
- *Xperi v. Samsung*, as counsel for Xperi entities in cases involving semiconductor technologies, which resulted in a favorable settlement that boosted Xperi's stock price by over 40%.
- Counsel for AMD in its cross-license dispute with Intel, in which Intel agreed to pay US\$1.25 billion to AMD to settle all disputes between the parties.
- *Symantec v. Computer Associates*, as counsel for Symantec in a patent case on anti-virus technology; obtained favorable settlement after winning key claim construction disputes.