



STEVEN CALLAHAN

PARTNER

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BIOGRAPHY

Steven Callahan is a Founding Partner at Charhon Callahan Robson & Garza. His practice focuses on business and intellectual-property litigation. Mr. Callahan represents large corporations in significant intellectual-property and business disputes, including Berkshire Hathaway subsidiaries (McLane Company and MBM Corp.), Ericsson, Samsung, OpenTable, Vonage, Denbury, Cloudflare and VTech. Mr. Callahan has also litigated cases on behalf of Capital Southwest, Merial (a Sanofi company), ACS (now Conduent), Medtronic, Good Technology (now owned by Blackberry Limited), and Halliburton.

Mr. Callahan graduated from the University of New Hampshire *summa cum laude* in 2001 with a Bachelor of Arts in Political Science. At the University of New Hampshire, he was a University Honors Program student and inducted into *Phi Beta Kappa*.

He attended law school at Stanford and Harvard. At Stanford, he was an editor on the *Stanford Journal of International Law*, and made the *Stanford Law Review*. At Harvard, he was an editor on the *Journal on Legislation*. He received his J.D. from Harvard in 2004.

Mr. Callahan has represented numerous clients in patent-infringement litigation, including four clients (TGIP, Anascape, VirnetX, and Versata) whose jury verdicts were listed in *VerdictSearch's* "Top 100 Verdicts" of the year. He also represents clients in cases involving allegations of theft of trade secrets, breaches of contract, breaches of non-competes, product-liability claims, copyright infringement, trademark infringement, false advertising, and breaches of fiduciary duty.

Mr. Callahan previously practiced law as an Associate at WilmerHale LLP, in Boston, Massachusetts, and McKool Smith, P.C., in Dallas, Texas, where he was a Principal.

Mr. Callahan has written several articles on litigation matters and has taught continuing legal education classes for other attorneys. Mr. Callahan is the author of CCRG's Northern District of Texas Blog, where he writes about practice and procedure in the Northern District of Texas, business disputes, and patent litigation. The site has over 800 posts, approximately 1,000 subscribers, and hundreds of thousands of readers.

Mr. Callahan lives in Dallas, Texas, with his wife and their two daughters.

EDUCATION

J.D., Harvard Law School

B.A., *summa cum laude*, University of New Hampshire

COURT ADMISSIONS

State of Texas

Commonwealth of Massachusetts

U.S. District Court for the Northern District of Texas

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Southern District of Texas

U.S. District Court for the Western District of Texas

U.S. District Court for the District of Massachusetts

U.S. District Court for the Western District of Michigan

U.S. District Court for the District of Colorado

U.S. Court of Appeals for the First Circuit

U.S. Court of Appeals for the Fifth Circuit

U.S. Court of Appeals for the Federal Circuit

U.S. Supreme Court

RANKINGS & HONORS

Recognized by *Super Lawyers* as a Texas "Rising Star" in intellectual-property litigation (2009, 2011-2019). No more than 2.5% of attorneys in Texas are selected to receive the Rising Star honor.

Named to the 2017-2019 *Up-And-Coming 100: Texas Rising Stars List*. Honored as one of the top 100 "Rising Stars" in Texas by *Super Lawyers*.

Recognized by *Super Lawyers* as a Texas "Super Lawyer" in intellectual-property litigation (2019-2021). No more than 5% of attorneys in Texas are selected to receive the Super Lawyer honor.

Super Lawyers/Rising Stars is a Thomson Reuters service.

Barrister, The Honorable Barbara M.G. Lynn American Inn of Court

Fellow, Texas Bar Foundation

BAR ASSOCIATIONS (PAST OR PRESENT)

American Bar Association

Dallas Bar Association

Eastern District of Texas Bar Association

Federal Bar Association

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Bar Association of the Fifth Federal Circuit
Dallas Association of Young Lawyers
Dallas Federal Bar Association
American Intellectual Property Law Association
Texas Association of Young Lawyers
Texas Bar Foundation

BAR POSITIONS (PAST OR PRESENT)

Dallas Association of Young Lawyers, Co-Chair
CLE Committee
Dallas Bar Association, Intellectual Property
Section, Member
Dallas Bar Association, Judiciary Committee,
Member
Dallas Bar Association, CLE Committee, Member
Federal Bar Association, Dallas Chapter,
Membership Chair

REPRESENTATIVE CASES

MCLANE COMPANY

Mr. Callahan regularly represents McLane (a subsidiary of Berkshire Hathaway) in litigation matters. McLane is a \$48 billion supply chain services leader, providing grocery and food-service supply chain solutions for convenience stores, mass merchants, drug stores and chain restaurants throughout the United States. Mr. Callahan represented McLane in a commercial arbitration against Circle K. The arbitration related to a contractual dispute between the two parties. Mr. Callahan has also represented McLane in litigation matters against Mahaska, a former McLane executive, and the State of Texas (including a constitutional challenge concerning Texas' alcohol permitting decisions).

ERICSSON INC.

Mr. Callahan regularly represents Ericsson's interests in litigation. Mr. Callahan represented Ericsson in ITC proceedings related to mobile phone and communications networks and recently defended Ericsson in a patent-infringement

lawsuit brought by GEMSA. Mr. Callahan has also represented Ericsson in litigation matters adverse to Intellectual Ventures and Google. Mr. Callahan represented Cradlepoint, an Ericsson subsidiary, in a patent-infringement lawsuit brought by Harmony Licensing in the District of Delaware.

SAMSUNG

Mr. Callahan represented Samsung in patent-infringement lawsuits brought by Straight Path and Iron Oak Technologies. The cases were litigated in the Eastern District of Texas and the Northern District of Texas, respectively.

CLOUDFLARE

Mr. Callahan regularly represents leading internet security company Cloudflare in intellectual-property matters. He represented Cloudflare in a patent-infringement lawsuit brought by Blackbird Tech, where he invalidated the patent-in-suit on a motion for judgment on the pleadings. In a trade-secret misappropriation case brought by Swarmify, Mr. Callahan defended Cloudflare, obtained a denial of Swarmify's motion for a preliminary injunction, a dismissal of Swarmify's case with prejudice, and an award of Cloudflare's attorney's fees. Mr. Callahan also represented Cloudflare in a trade-secret misappropriation lawsuit filed by Sport Lisboa and a patent-infringement lawsuit brought by Sable Networks.

DENBURY RESOURCES

Mr. Callahan represented Denbury Resources, a publicly traded oil and natural gas company, in a patent-infringement lawsuit brought by Kaldren.

OPENTABLE

Mr. Callahan represented OpenTable in a patent infringement lawsuit brought by uLogin in the Eastern District of Texas.

VONAGE

Mr. Callahan represented Vonage Holdings Corp. in a patent-infringement lawsuit brought by Remote Concepts pending in the Northern District of Texas.

RENESAS ELECTRONICS

Mr. Callahan represented Renesas Electronics in a patent-infringement case pending in the Western District of Texas brought by Teleputers.

LATTICE SEMICONDUCTOR

Mr. Callahan represented Lattice Semiconductor in a patent-infringement lawsuits filed in the Western District of Texas by Liberty Patents.

CAPITAL SOUTHWEST

Mr. Callahan represented publicly traded Capital Southwest—an internally-managed, credit-focused business development company that is an active capital provider to middle market companies across the capital structure—in litigation against Wellogix, Inc., pending in Dallas County, Texas. Mr. Callahan secured temporary injunctions prohibiting Wellogix from engaging in certain corporate transactions, and represented Capital Southwest at the Texas Fifth District Court of Appeals.

MBM CORP.

Mr. Callahan represented MBM, an indirect subsidiary of Berkshire Hathaway, in a breach-of-contract case brought by Mimi's Café in the Northern District of Texas.

VTECH

Mr. Callahan represented VTech in a patent-infringement lawsuit brought by Spherix in the Northern District of Texas.

T.J. MAXX

Mr. Callahan represented T.J. Maxx (TJX Companies) in a Texas Deceptive Trade Practices Act lawsuit pending in El Paso County. The plaintiff non-suited the lawsuit without any payment from T.J. Maxx.

AMYNTA GROUP

Mr. Callahan has represented Amynta Group and its subsidiary Warrantech Corporation in numerous litigation matters, including lawsuits pending in Tarrant County and arbitrations before the American Arbitration Association. Mr. Callahan recently defeated breach-of-contract and fraud claims brought against Warrantech in an arbitration.

NORDVPN

Mr. Callahan represents NordVPN in various intellectual-property litigation matters, including cases involving claims for patent infringement and

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theft of trade secrets.

ODOO

Mr. Callahan represented Odo in a patent-infringement lawsuit brought by Scanning Technologies Innovations in the District of Delaware.

PERRY STREET SOFTWARE

Mr. Callahan represented Perry Street Software in a declaratory judgment patent lawsuit brought against Jedi Technologies in the Southern District of New York. The district court invalidated Jedi's patent on Perry's motion for judgment on the pleadings.

GETACCEPT

Mr. Callahan represented GetAccept in a patent-infringement lawsuit filed by Digital Verification Systems in the Northern District of California. Digital Verification Systems dismissed its case without any payment after Mr. Callahan sent a letter demanding that Digital Verification System abandon its case.

MEDIAKIND

Mr. Callahan represented MediaKind in a patent-infringement lawsuit filed by Akoloutheo in the Eastern District of Texas.

HYLA

Mr. Callahan represented Hyla in a fraudulent-transfer case brought in the Central District of California. Mr. Callahan obtained dismissal of the case on a motion to dismiss for lack of personal jurisdiction.

IRWIN SEATING COMPANY

Mr. Callahan represented Irwin Seating Company in a Northern District of Texas patent-infringement lawsuit brought by Camatic Seating. Mr. Callahan succeeded in having the case transferred to the Western District of Michigan (Irwin's headquarters) on Irwin's motion to transfer venue. The case settled after Irwin filed its summary judgment and *Daubert* motions.

STRUCK, INC

Mr. Callahan represented Struck, a creative agency, in litigation against Mrs. Fields involving an alleged breach of contract. The case was pending

in the Eastern District of Texas and then before the American Arbitration Association. In the arbitration, Mr. Callahan succeeded in dismissing Mrs. Fields' claims on summary judgment.

UNITED ACCESS TECHNOLOGIES

Mr. Callahan represented United Access Technologies in its patent-infringement lawsuits brought in the District of Delaware against Verizon, Qwest, Frontier and AT&T. Mr. Callahan was called upon to first represent United Access following an unfavorable judgment entered by the district court, which Mr. Callahan successfully overturned at the United States Court of Appeals for the Federal Circuit.

NEW ANTICS

Mr. Callahan represented New Antics in a patent-infringement lawsuit brought by Cinsay. The case proceeded in the Northern District of Texas.

THOMAS HICKS

Mr. Callahan represented Thomas Hicks, one of America's leading businessmen and former owner of the Texas Rangers and Dallas Stars, in a lawsuit brought by JPMorgan relating to a subscription agreement. The case proceeded in the Northern District of Texas.

SMART REAMER

Mr. Callahan represented Smart Reamer in a declaratory judgment lawsuit brought by National Oilwell Varco. The lawsuit involved claims related to six of Smart Reamer's patents as well as Smart Reamer's trade secrets.

GOOD TECHNOLOGY CORPORATION

Mr. Callahan represented Good Technology in patent-infringement lawsuits filed against Fixmo, Little Red Wagon Technologies, MobileIron, and AirWatch. The patents-in-suit related to technology involved in the synchronization of data with smart phones. The cases were filed in the Northern District of Texas and the Northern District of California. Mr. Callahan had previously represented Good in its patent-infringement lawsuit against Excitor A/S, which the parties litigated in the Southern District of New York.

MOSAID TECHNOLOGIES, INC.

Mr. Callahan represented MOSAID (k/n/a Conversant) in a patent-infringement lawsuit filed against Intel, Qualcomm Atheros, Ralink, and Marvell. The patents-in-suit claimed technology relating to 802.11-compliant Wi-Fi devices.

VERSATA

Mr. Callahan represented Versata in its patent-infringement lawsuit against SAP involving pricing technology. Mr. Callahan was a member of the trial team that secured a jury verdict finding that SAP infringed Versata's patent, and awarding Versata lost profits and reasonable-royalty damages. The case was the largest verdict ever upheld by the U.S. Court of Appeals for the Federal Circuit.

MERIAL

Mr. Callahan represented Merial, the maker of Frontline Plus and Heartgard Plus, in its lawsuit against Bayer. The case involved claims and counterclaims for false advertising in violation of the Lanham Act. The parties litigated the case in the Northern District of Georgia.

ANASCAPE

Mr. Callahan represented Anascape in patent-infringement litigation against Microsoft and Nintendo. Anascape and Microsoft reached a settlement shortly before trial, and Mr. Callahan was a member of the trial team that secured a jury verdict against Nintendo. The case was tried to a jury in the Eastern District of Texas. Mr. Callahan also represented Anascape in a patent-infringement lawsuit filed in the Eastern District of Texas against Apple.

AFFILIATED COMPUTER SERVICES, INC.

Mr. Callahan represented Affiliated Computer Services (n/k/a Conduent) in a case brought by United.com, Inc. d/b/a Instant Bank in the District of Delaware. The case included breach-of-contract and copyright-infringement claims.

MEDTRONIC, INC.

Mr. Callahan represented Medtronic in a patent-marking lawsuit brought by Promote Innovation LLC. The case settled before the Court ruled on Medtronic's motion to dismiss.

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HALLIBURTON

Mr. Callahan represented Halliburton in patent-marking lawsuits brought in the Eastern District of Texas. The cases settled prior to the Court ruling on Halliburton's motions to dismiss.

RED RIVER FIBER OPTIC CORP.

Mr. Callahan represented Red River Fiber Optic Corp. in its patent-infringement lawsuit against AT&T, Verizon, and Qwest. The patent-in-suit related to fiber-optic technology. Red River reached confidential settlements with defendants prior to expert discovery. The parties litigated the case in the Northern District of Texas.

VIRNETX INC.

Mr. Callahan represented VirnetX Inc. in a lawsuit filed in the Eastern District of Texas against Microsoft Corp. The lawsuit involved patents related to facilitating and securing the creation of virtual private networks. Mr. Callahan was a member of the trial team that secured a jury verdict finding that Microsoft willfully infringed two VirnetX patents.

TGIP, INC.

A member of the TGIP trial team, Mr. Callahan represented TGIP in its patent-infringement lawsuit involving pre-paid telephone card technology. TGIP obtained a jury verdict against AT&T following a two-week trial in the Eastern District of Texas, and the case settled while on appeal.

MERITAGE HOMES CORP., PULTE HOMES, INC., TOLL BROTHERS, INC., THE RYLAND GROUP, INC., LENNAR CORP., KB HOME

Mr. Callahan represented six of the nation's leading home building companies in a lawsuit brought by Wachovia in the Southern District of New York. The contractual dispute related to a home building joint venture formed to develop property in Las Vegas, Nevada.

DUBLIN DR. PEPPER

Mr. Callahan represented Dublin Dr. Pepper in trademark and breach-of-contract litigation against Dr. Pepper/Seven Up. The parties litigated the cases in Texas state court (Erath County) and the Eastern District of Texas.

COMMAND CONSULTING GROUP

Mr. Callahan represented Command Consulting Group in litigation against NeuralIQ. The case involved breach of contract claims and the lawsuit proceeded in the U.S. District Court for the District of Columbia.