

# Franklin Chu (朱彥霖)

Senior Associate, Gemini Law LLP





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#### **LANGUAGE**

- English
- Chinese

# **BAR ADMISSIONS**

- Texas
- Washington
- United States Patent and Trademark Office

Franklin Chu is a senior associate at Gemini. Franklin has extensive experience in both patent litigation and patent prosecution. Franklin's patent litigation practice specializes in proceedings before the United States Patent Trial and Appeal Board (PTAB). Before the PTAB, Franklin has represented both petitioners and patent owners in a wide range of technical fields, including biosimilars, gene editing technologies, medical devices, surgical equipment, microfluidic devices, stereoscopic displays, and wearable electronic devices.

Franklin's patent prosecution practice focuses on building robust patent portfolios and navigating prosecution strategies with imminent or co-pending litigation. He has helped clients secure key allowances for various technologies, including spinal fixation devices, orthodontic devices, chemical adhesives, and underwater storage systems. Franklin also advises clients on freedom-to-operate strategies and conduces IP due diligence on behalf of potential acquirers, investors, and strategic partners.

Prior to joining Gemini Law LLP, Franklin was an associate in the PTAB Practice Group of Wilson Sonsini Goodrich & Rosati (Seattle, WA) and an associate in the intellectual property group of Baker McKenzie (Dallas, TX). Franklin also has experience performing research at the Chemical Development Department of Johnson & Johnson.

#### **EXPERIENCE**

Franklin's work includes the following representative matters:

- Celltrion, Inc. v. Chugai Seiyaku Kabushiki Kaisha et al., IPR2022-00578 and -00579 (P.T.A.B.). Represented petitioner in challenging patents covering tocilizumab. The PTAB issued a Final Written Decision finding all challenged claims of two patents unpatentable.
- Celltrion, Inc. v. Regeneron Pharms. Inc., IPR2023-00462 (P.T.A.B.). Represented petitioner in challenging patents covering aflibercept. The patent owner disclaimed all claims.
- Favored Tech Corporation et al v. P2i, Ltd., IPR2020-00085 (P.T.A.B.). Represented a petitioner in challenging a patent directed to applying liquid-repellent coating through plasma deposition. The patent owner disclaimed all claims prior to institution.
- Unified Patents Inc. v. Health Watch, LLC, PR2019-00509 (P.T.A.B.). Represented a petitioner in challenging a patent directed to wearable sensors and monitoring devices. Shortly after the PTAB instituted review, the patent owner filed a Notice of Abandonment indicating abandonment of the contest.



# **EXPERIENCE** - Continued

- Represented an international manufacturing company in a private arbitration before the American Arbitration
   Association. The proceeding involved claims of patent infringement and contract violation. Mr. Chu provided counsel through all stages of the proceeding, including pleadings, discovery, infringement and invalidity analysis, formulating contractual defenses, preparing foreign witnesses for deposition, and arbitration trial.
- Represented a Fortune 500 company in a dispute against a non-practicing entity. Preparation of petitions for inter partes review and development of invalidity positions helped secure favorable settlement.
- Represented a developer of computer bus systems accused of patent infringement in district court.
   Preparation of petitions for inter partes review and development of invalidity positions helped secure favorable settlement prior to petition filing.

- Kinik Company v. Chien-Min Sung, IPR2014-01523
  (P.T.A.B.). Represented petitioner, a manufacturer of superabrasive tools, in challenging a patent. All challenged claims were found unpatentable.
- Veeva Systems Inc. v. Prolifiq Software Inc., IPR2014-01253, -01431, -01432, -01467, -01472, -01473, -01474 (P.T.A.B.). Represented petitioner, a cloud-computing company, in challenging patents that were asserted against it in district court. Favorable settlement was reached prior to patent owner's preliminary response.

# **PUBLICATIONS**

Supplemental Jurisdiction over Foreign Patents: Permissible, So Long as Limitations Apply, 26 Emory Int'l L. Rev. 283 (2012)

### **CREDENTIALS**

#### Education

- J.D., Emory University School of Law, 2012
- · B.S., Chemical Engineering, The Cooper Union, 2009

# Bar admissions and qualifications

- Bar
  - o Texas, 2012
  - Washington, 2018
  - United States Patent and Trademark Office (Reg. No. 75,946)

#### Courts

- o U.S. District Court for the Eastern District of Texas
- o U.S. District Court for the Northern District of Texas
- o U.S. Court of Appeals for the Federal Circuit