

Stephanie D. Scruggs

Shareholder
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Areas of Concentration

Intellectual Property: IP litigation and transactional work

Experience

Ms. Scruggs represents clients in a variety of intellectual property matters. While Ms. Scruggs's practice primarily focuses on patent litigation, patent prosecution, and opinions relating to infringement, validity, and enforceability analyses, she also has experience in trademark prosecution and counseling, patent licensing, and due diligence associated with IP transfers. Ms. Scruggs has been involved with intellectual property cases in Virginia, Delaware, Texas, New Jersey, Maryland, and the International Trade Commission.



She represents both U.S. and foreign-based clients in various industries including the chemical, biochemical, pharmaceutical, electrical, and mechanical arenas. As a result, Ms. Scruggs has had substantial exposure to the following technologies: golf-related articles, including golf balls, golf clubs, and golf apparel; medical devices, including spinal implants, bone fasteners, and back braces; vehicle air bag and restraint devices; propellants; pharmaceutical compositions; viruses and vaccines; microinjection devices; silicon and semiconductor wafers; tricycles and children's ride-ons; and a variety of other technologies.

To ensure familiarity with current patent practice and to complement her litigation and opinion work, Ms. Scruggs also maintains an extensive patent prosecution docket. She has experience in all phases of patent prosecution, from pre-filing investigations and application drafting to appeals to the Board of Patent Appeals and Interferences. As a result, Ms. Scruggs regularly appears before the U.S. Patent and Trademark Office Board of Patent Appeals and Interferences.

Prior to law, Ms. Scruggs consulted for major global process industry clients in project system capital effectiveness and project feasibility evaluations for projects ranging from \$500,000 to \$2 billion. Clients included Fortune 500 companies in the pharmaceuticals, chemicals, consumer products, petroleum and heavy industrial arenas. In addition, Ms. Scruggs conducted biological warfare agent and biosensor research with the Naval Research Laboratories in Washington, D.C., after obtaining her Master's degree. She has co-authored numerous articles on biosensors, silane stability and array photopatterning.

Representative Engagements

- *MIH International, LLC v. Weber Orthopedic, Inc.*, Maryland, Civil Action No. 8:10-cv-01127 (on behalf of Plaintiff MIH)—Secured favorable settlement for plaintiff in patent infringement case related to back brace.
- *Quantum Catalytics, LLC et al. v Ze-Gen, Inc. et al.*, Massachusetts, Civil Action No. 1:08-cv-11456 (on behalf of Ze-gen)—Defended Ze-gen, Inc., a renewable energy company that combines proprietary gasification technology with ordinary waste streams in order to generate clean, sustainable, low-cost synthesis gas, against a claim of patent infringement. The case ultimately settled in a manner favorable to the client.

- *Traffic Information, LLC v. Yahoo! Inc. et al.*, Texas, Civil Action No. 2:09cv246 (on behalf of The American Automobile Association, Inc. and RM Acquisition, LLC d/b/a Rand McNally & Company); *Traffic Information, LLC v. Huawei Technologies, Co., Ltd. et al.*, Texas, Civil Action No. 2:10cv145 (on behalf of MetroPCS Wireless, Inc. and Cellular USA Inc.); *Traffic Information, LLC v. Cricket Communications, Inc. et al.*, Texas, Civil Action No. 2:10cv226 (on behalf of Cricket Communications, Inc. and Networks In Motion, Inc.)—Negotiated settlement favorable to six defendants.
- *Smart Trike USA, LLC v. Heinz Kettler GmbH, et al.*, New Jersey, Civil Action No. 2:10-cv-02063 (FSH) (on behalf of Plaintiff / Counterclaim-Defendant Smart Trike)—Representing U.S. tricycle distributor in declaratory judgment action for non-infringement, invalidity, and unenforceability against patent holder of four patents related to the steering mechanisms in tricycles.
- *In re Certain Modified Vaccinia Ankara (MVA) Viruses and Vaccinations made there from*, ITC, Inv. No. 337-TA-550 (on behalf of Complainant Bavarian Nordic)—Provided litigation support in this hotly contested patent infringement case brought in the International Trade Commission, which ultimately led to a settlement with the accused infringers, who agreed to vacate the market for the patented small pox vaccines.

Education

George Mason University School of Law, Juris Doctor, cum laude, 2004

Virginia Polytechnic Institute and State University, Master of Science, Chemical Engineering, 1997

The University of Mississippi, Bachelor of Science, Chemical Engineering, 1995

Bar and Court Admissions

Admitted to practice in the District of Columbia and Virginia

Registered to practice before the United States Patent and Trademark Office

United States District Court, Eastern District of Virginia

Professional Involvement

American Bar Association

American Intellectual Property Law Association