maschoff brennan



Charles S. Barquist

Attorney at Law • Partner

let's connect

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education

- J.D., Harvard Law School
- A.B., University of Michigan, History

expertise

Patent Litigation • Intellectual Property Litigation • International Arbitration

Charles Barquist is a trial lawyer and IP litigator. His practice is focused on business litigation including patents and other intellectual property, antitrust and unfair competition, and dispute resolution for technology companies.

Mr. Barquist has achieved outstanding results in patent litigation for several foreign and domestic clients in U.S. courts and before the International Trade Commission (ITC). Successful trial results include defense wins for EchoStar in the Eastern District of Texas and the ITC, and a plaintiff's verdict against Microsoft on behalf of an individual inventor. Mr. Barquist was part of the trial team in Apple v. Samsung, with Apple prevailing both at the ITC and in District Court. Mr. Barquist won summary judgment of non-infringement for Capital One against prolific inventor and litigant Walker Digital, a victory affirmed by the Federal Circuit. Mr. Barquist led a team that won a $35 million settlement in a patent infringement action in Minnesota for Angeion Corporation, a manufacturer of implantable defibrillators, and a favorable settlement for Veeco Instruments in enforcing its patents covering atomic force microscopy. Other patent litigation has involved technologies such as smartphones, virtual cameras, medical lasers, hard disk drives, infrared thermometers, rechargeable batteries, digital satellite receivers, and environmental stress screening equipment, in such jurisdictions as Delaware, Massachusetts, Rhode Island, and California (including San Diego, San Francisco, and Los Angeles).

Mr. Barquist also has conducted numerous adversarial licensing negotiations with patent holders in the U.S., Asia, and Europe. He has handled a number of copyright, trademark, and unfair competition matters on behalf of domestic and international clients, including a leading CD/DVD replicator, a Big Five accounting firm, a major telecommunications company, an airline, a major toy manufacturer, and a number of Japanese electronics and food product companies.

In addition, Mr. Barquist is experienced in other complex commercial and business litigation, including antitrust, products liability, and environmental matters. Significant cases include an antitrust action on behalf of SpaceX, a consumer class action against Microstar International, an ICC arbitration in Stockholm involving a turn-key electronics factory in China, an AAA arbitration involving development of a new anti-cancer drug, a products liability trial in New York in which a defense verdict was obtained for a U.S. automaker, representation of a major Wall Street investment bank in a securities fraud arbitration in Chicago in which all claims were dismissed, and the defense of environmental challenges to the harbor improvement plans of a major West Coast port.

Mr. Barquist also has handled a number of pro bono matters, most recently winning an attorneys' fee award of $1.8 million in an action challenging discrimination against mentally disabled participants in the General Relief program administered by the County of Los Angeles. Other matters include a challenge to California's distribution of funds for a federal summer jobs program, which recouped $1 million for the San Francisco program, and the winning of a preliminary injunction requiring water releases to protect environmental values in lower Putah Creek, near Davis, California.

Mr. Barquist is also a leader in the profession. He has served as president of the Los Angeles Intellectual Property Law Association, as chairman of the USC Gould School of Law Intellectual Property Institute, and as chairman of the Intellectual Property and Entertainment Law Section and the International Law Section of the Los Angeles County Bar Association. He has also served as Chair of the Institute for Corporate Counsel in Los Angeles and currently serves as a member of its Board of Governors.

Mr. Barquist is the editor of the 3rd edition of Practising Law Institute's, Patent Litigation treatise, published in October 2015.

Mr. Barquist is listed in Global Counsel 3000 as a Recommended Intellectual Property practitioner in Los Angeles and was recognized as a Southern California "Super Lawyer" every year from 2004 through 2021. He was named the Best Lawyers® 2022 Litigation – Patent "Lawyer of the Year" in Orange County and the Best Lawyers® 2017 Litigation – Patent "Lawyer of the Year" in Los Angeles. He was also selected for inclusion in the 2007-2022 editions of The Best Lawyers in America in the specialty of intellectual property law. Mr. Barquist is a 2014 recipient of the Burton Award for Legal Achievement, which honors excellence in legal writing.

Mr. Barquist received his J.D., cum laude, from Harvard Law School and his A.B., with high distinction and high honors, from the University of Michigan. After earning his law degree, Mr. Barquist clerked for the Honorable Milton Pollack in the United States District Court for the Southern District of New York.

my focus

- Appellate Practice
- Arbitration & Mediation
- Automotive
- Complex Business Disputes
- Computers & Databases
- Consumer Goods & Services
- Electric Systems
- Financial Services & eCommerce
- International Arbitration
- International Trade Commission
- Manufacturing
- Medical Devices
- Networking & Wireless Technology
- Optical Technology
- Patent Disputes
- Post-Issuance Proceedings
- Semiconductor
- Telecommunications
- Trade Secret & Unfair Competition Disputes
- Trademark & Trade Dress Disputes
- Trademark Trial and Appeal Board

representative matters

- **Apple Inc. v. Samsung Electronics** (Northern District of California and International Trade Commission). Represented Apple in litigation at the ITC and District Court involving design and utility patents and trade dress infringement related to Apple's iconic iPhone. Obtained an ITC exclusion order and jury verdicts of several hundred million dollars.
- **Core Optical LLC v. Fujitsu Network Communications, Inc.** (Central District of California). Represented Fujitsu in patent litigation involving cross polarization interference canceler technology. Favorable settlement obtained.
- **Certain Toner Cartridges and Components Thereof.** (International Trade Commission, 337–TA–918). Represented International Laser Group against patent infringement claims brought by complainant Canon. The case settled on favorable terms, pursuant to which ILG may continue to sell its remanufactured toner cartridges in the U.S.
- **Forgent Networks, Inc. v. EchoStar Communications Corp.** (Eastern District of Texas). Represented EchoStar at trial in the Eastern District of Texas. Mr. Barquist and his team won a jury verdict finding plaintiff's patent – allegedly covering DVR technology – invalid on three separate grounds.
- **Walker Digital LLC v. Capital One.** (Eastern District of Virginia). Represented Capital One in patent litigation with Walker Digital LLC, involving patents on customized credit accounts. Summary judgment of non-infringement was affirmed by the Federal Circuit.
- **Gamecaster LLC v. DreamWorks Animation.** (Central District of California). Represented DreamWorks in litigation over virtual camera technology; patent claims rejected through inter partes reexamination at PTO and affirmed by the Federal Circuit.
- **Guardian Media Technologies, Ltd. v. Amazon.com, Inc., et al.** (Central District of California). Represented Best Buy, Costco, RadioShack, Sears, Target and Walmart in litigation over parental control technology in TVs and DVD players. Summary judgment of non-infringement obtained on both patents for all defendants.
- **Vacation Exchange LLC v. Interval International.** (Central District of California). Represented Interval International in litigation over patent covering online timeshare exchange. Patent invalidated on motion to dismiss under Section 101.
- **Veeco Instruments v. Asylum Research Corp.** (Central District of California). Represented Veeco Instruments in patent litigation with Asylum Research Corporation, involving atomic force microscopes.

- **CompuFill, LLC v. Walgreen Co., et al.; CompuFill, LLC v. Harris Teeter, Inc.; CompuFill, LLC v. HEB Grocery Company, LP.** (Southern District of California; Western District of North Carolina; Eastern District of Texas). Represented Walmart, CVS, Walgreens, Target, Costco, Harris Teeter and HEB in litigation involving patents on automated prescription refill systems and methods.
- **Semiconductor Energy Laboratory Co., Ltd. v. Toppoly Optoelectronics Corp.** (Central District of California). Represented TPO Displays Corporation in patent litigation brought by Semiconductor Energy Laboratory Co., Ltd., involving low-temperature polysilicon TFT technology for display panels.
- **Amado v. Microsoft Corporation.** (Central District of California). Represented an individual inventor in patent infringement action against Microsoft Corporation involving software patents. Judgments in excess of $19 million were obtained for our client, following two appeals by Microsoft to the Federal Circuit.
- **AEM Holdings, Inc. v. Cooper Industries, Inc.** (Central District of California). Represented AEM Holdings, Inc. in patent infringement litigation with Cooper Bussmann over chip fuse technology.
- **Zenith Electronics v. Thomson, et al.** (Eastern District of Texas). Represented Pioneer Corporation in patent litigation against Zenith Electronics Corporation involving essential patents in digital television technology.
- **Multi-Format, Inc. v. Amazon.com, et al.** (Central District of California). Represented 11 major retailers in litigation brought by Multi-Format, Inc. over DVD technology; complaint was voluntarily dismissed by plaintiff.
- **MedImmune, Inc. v. Genentech, Inc., et al.** (Central District of California). Represented Celltech R&D Ltd. in a patent and antitrust challenge to a settlement of patent litigation; summary judgment was granted in favor of Celltech, the Federal Circuit affirmed the dismissal.
- **Altera Corp. v. Xilinx, Inc.; In the Matter of Certain Programmable Logic Devices and Products Containing Same.** (Northern District of California; 337-TA-453). Represented Altera Corporation in patent infringement trials involving programmable logic devices in district court in San Jose, California, and before the ITC in Washington, D.C.
- **In the Matter of Certain Set-Top Boxes and Components Thereof.** (337-TA-454). Represented EchoStar Communications Corporation as respondent in a patent infringement trial before the ITC in which the Administrative Law Judge found all patents not infringed, and one patent invalid and unenforceable.
- **Ronald A. Katz Technology Licensing v. EchoStar Communications Corp. (**Northern District of California). Represented DISH Network/EchoStar and Express Scripts, Inc. in patent litigation with Ronald A. Katz Technology Licensing involving interactive voice response system technology.

professional admissions & associations

- California State Bar
- New York State Bar
- Institute for Corporate Counsel
- USC Gould School of Law Intellectual Property Institute
- Intellectual Property and Entertainment Law Section of the Los Angeles County Bar Association
- Los Angeles Intellectual Property Law Association (LAIPLA)

publications & presentations

Publications

- *"How A Biden Administration Would Shape IP Policy,"* Law360 (October 19, 2020)
- Editor of the Third Edition of Practising Law Institute's Patent Litigation treatise (2015)
- *DeLorme v. ITC: Federal Circuit Upholds $6.2 Million Penalty For Consent Order Violation Despite Finding Patent Invalid*, MoFo@ITC, 11/23/2015
- *Delorme v. ITC: Federal Circuit Hears Arguments in Appeal of $6.2 Million Penalty for Consent Order Violation*, MoFo@ITC, 10/23/2015
- *The Willfulness Inquiry, Enhanced Damages, and Attorneys' Fees for the Exceptional Case* Practicing Law Institute: Patent Litigation, September 2012
- *Challenging Validity in the PTO Under the 2011 Patent Act,* Practicing Law Institute: Patent Litigation, Chapter 15, April 2012
- *Willful Infringement, Including the Role of Opinions of Counsel Post-Seagate, and Seeking Enhanced Damages and Attorneys' Fees for the Exceptional Case.* Practising Law Institute, Patent Litigation, 2011
- P*reparing a Defense to Willful Infringement*, American Bar Association, Intellectual Property Litigation, November 2010

Speaking Engagements

- *Cost Control In NPE Litigation,* SAS NPE Forum, September 2019
- *The New Frontier of IP Litigation: Perspectives from the Bench,* USC IP Institute, March 2019

- *District Court Trends and Developments,* American Bar Association's IP West, October 2018
- *The State of Patent Litigation: Is it serving Innovation?* The Judge Paul R. Michel Intellectual Property American Inn of Court, Los Angeles, 10/30/2017
- *Emerging Trends in Trade Secret Law*, LAIPLA Spring Seminar, Coronado, CA, 6/11/2016
- *Recent Developments in Reasonable Royalty Damages*, Intellectual Property Owners Association Patent Damages Summit, Palo Alto, CA, 5/24/2016
- *Patent Litigation 2015*, LAIPLA Spring Patent Litigation Dinner, Los Angeles, 4/07/2015
- *Attorney Fees Post Octane Fitness/Highmark*, LAIPLA Spring Patent Litigation Dinner and Young Lawyers Event, Los Angeles, 4/07/2015
- *Current Issues in ITC § 337 Litigation; AIA and Litigation Strategy*, Hot Topics in Patent Law 2012-2013: The Good, the Bad, and the Ugly, LAIPLA Annual Meeting, Los Angeles, 5/14/2013
- *PLI's Patent Litigation 2012*, San Francisco, 9/28/2012
- *Recent Developments on Damages Law; U.S. Patent Law Changes*, Milan, Italy, 2/10/2012
- *U.S. Patent Litigation: What to Expect and How to Prepare, Demystify the U.S. IP Process*, Danish-American Business Forum, Copenhagen and Arhus, Denmark, 2/7/2012 – 2/8/2012
- *Document Preservation & Discovery Sanctions in U.S. Patent Litigation,* Intellectual Property Issues Facing Japanese Companies and Cross Border Business, Los Angeles, 11/4/2011
- *PLI Patent Litigation Seminar*, San Francisco, 9/19/2011 – 9/20/2011

awards & recognition

- Legal 500's LA Elite City Rankings - Tier 1 (2026)
- U.S. News & World Report's Best Lawyers: Litigation – Intellectual Property; Litigation – Patent (2007 – 2027)
  - Lawyer of the Year; Litigation - Patent (2024)
  - Lawyer of the Year; Litigation – Patent (2022)
  - Lawyer of the Year; Litigation – Patent (2017)
- Southern California Super Lawyers (2004 – 2025)
- Burton Award for Excellence in Legal Writing
- Global Counsel 3000: Recommended Intellectual Property practitioner in Los Angeles