



## **Jonathon K. Hance**

Partner

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### **About Jonathon**

Jonathon Hance is both a litigator and an intellectual property lawyer. As a litigator, Jonathon is at home in the court room, where he represents both plaintiffs and defendants and works hard to enforce his clients' intellectual property rights and data confidentiality rights, to protect his clients' brands, to bring value to his clients in the restructuring context, and to resolve complex commercial disputes in the design and construction, real estate, energy, healthcare, and technology industries. As an IP lawyer, Jonathon works to protect and monetize his clients' innovations and protect his clients' brands across a variety of sectors, including the energy, real estate, and technology industries. He also advises healthcare institutions regarding corporate governance issues and patient data privacy and protection under the Health Insurance Portability and Accountability Act (HIPAA).

Jonathon has degrees from Southern Methodist University in Applied Mathematics, Computer Science, and Viola Performance and J.D. from Washington and Lee University School of Law. He is a Certified Licensing Professional (CLP), and he served as a judicial clerk to the Honorable Jennifer Walker Elrod of the United States Court of Appeals for the Fifth Circuit. Prior to the practice of law, Jonathon served as the director of information and technology for a mid-size restaurant company where he actively participated in key technology and business decisions relating to corporate back-end computing services, point-of-sale and point-of-transaction systems and web-interface design. He also served as a mathematical consultant for the Bank of America Private Bank where he developed financial portfolio projection and analysis software using the Monte Carlo method.

### **Recent Notable Matters**

***MB Minerals L.P.*** — \$143.1 million sale of Midland Basin mineral and royalty interests to Kimbell Royalty Partners, LP

**Drilling Tools International** — business combination with ROC Energy Acquisition Corp., a special purpose acquisition company, that resulted in DTI becoming a US publicly listed company

**Sable Offshore Corp.** — purchase from Exxon Mobil Corporation of the Santa Ynez field in Federal waters offshore California and associated onshore processing and pipeline assets, including pipeline assets acquired by Exxon Mobil from Plains Pipeline L.P. and the proposed merger with Flame Acquisition Corp., a special purpose acquisition entity

**Hines Interests Limited Partnership** — outside general intellectual property counsel; trademark clearance, prosecution, enforcement, and licensing for various domestic and international brand portfolios

**The Robert A. Welch Foundation** — creation and funding of The Welch Institute, a \$100 million joint venture with Rice University that will combine fundamental chemistry and materials science with the latest in machine learning and artificial intelligence to accelerate the discovery, design and manufacture of the next generation of materials with applications to new energy systems, sustainable water, space systems, telecommunications, manufacturing, transportation, security and more

**The Menniger Clinic** — IP licensing, trademark clearance, prosecution, and enforcement, data security protection and compliance, board governance, and outside general counsel services

**The Holdsworth Center** — outside general counsel services

**The PTSD Foundation** — outside general counsel services

**AEP Texas, Inc.** — patent infringement, Southern District of Texas, radio network systems

**Syntrix Biosystems, Inc.** — patent infringement, Western District of Washington, final judgment of \$115 million

**Apache Corporation** — challenge to enforceability of arbitration award, Fifth Circuit Court of Appeals and Southern District of Texas

**Apache Corporation** — breach of contract regarding performance of consulting firm’s duties to Apache, ICC arbitration

**Apache Corporation** — oil and gas properties title dispute, Texas State Court (Brazos County)

**Trinity River Resources, LP** — breach of contract arising out of alleged underpayment of overriding royalty interests and working interests, Bankruptcy Court for the Western District of Texas

**Western U.S. utility** — arbitration dispute with Native American tribe over sale of 290 MW dam

**Direct Energy, LP** — litigation against wind farm facilities in West Texas over production tax credit payments, Texas State Court (Harris County)

**SH 130 Concession Company, LLC** — breach of design and construction contract, ICC arbitration with ancillary matters in Texas District Court (Harris County)

**United Technologies Corporation, et al.** — patent infringement, alarm systems, District of Puerto Rico

**ASARCO, LLC** — litigation over fees arising out of bankruptcy representation; Supreme Court of the United States held in ASARCO’s favor that firms are not entitled to receive fees for preparing fee applications

**ASARCO, LLC** — enforcement and collection of \$132.75 million judgment, Southern District of Texas

**Border to Border Exploration, LLC** — breach of contract over authorization to pool leased oil and gas units in Polk County, Texas, Texas State Court (Harris County)

**Claude Jones Company, LLC** — fraud, slander of title, breach of fiduciary duty, and tortious interference, Texas State Court (Harris County), achieved favorable settlement during jury deliberations

**BFW Liquidating, LLC** — recovery of preferential transfers and fraudulent transfers, breach of fiduciary duty, Bankruptcy Court for the Northern District of Texas

**The Taste of Texas** — trademark infringement, District of Arizona; trademark clearance, prosecution, and enforcement

**CWR Gonzales Holdings, LLC** — dispute regarding access to a salt water disposal facility, Texas District Court (Gonzales County)

**Halo Land Management LLC** — trademark clearance, prosecution, and licensing

## **Publications and Speeches**

"An Evil Bear May Provide High Court TM Ruling Clarification," *Law360*, July 7, 2023.

"Warhol Decision May Lead to Copyright Licensing Spike," *Law360*, May 22, 2023.

"Indemnities And Damages - A Bit Of Planning Can Go A Long Way," Licensing Executives Society, August 24, 2021

"Trade Secrets FAQ: Identifying, Safeguarding, (Safely) Sharing, And Enforcing Trade Secret Rights," Association of Corporate Counsel, May 27, 2021

"IP & Licensing Basics: Monetizing Intellectual Property," Licensing Executives Society, Oct. 6, 2020.

"Differentiating Between Direct And Consequential Damages," Virtual Client CLE, August 4, 2020

"A Consequential Matter: Differentiating Between Direct And Consequential Damages," Virtual Client CLE, July 14, 2020

"Strategic Licensing for Business Development," Licensing Executives Society, April 23-24, 2020.

"CONFIDENTIALITY: Navigating Tough Clauses To Protect Your Valuable Information," Association of Corporate Counsel, Institute for Energy Law, October 9, 2019

"The Hype Behind The Industrial Internet Of Things," *The Licensing Journal*, February 2019.

IIoT: Enabling A Surge In Industrial Productivity, Licensing Executives Society, October 15, 2018.

"Employment Law & Big Data," Texas Medical Center, April 18, 2017.

"Real Estate IP FAQ," April 13, 2017.

"The Art of Negotiation and Dealing with Unexpected Surprises," *Licensing Executives Society Houston Chapter Meeting*, October 18, 2016.

"IP & Licensing Basics Course," *Licensing Executives Society*, University of Houston, September 11, 2015.

"Lame-Duck Patent Reform Goes Almost Entirely Unnoticed," *Law360*, December 2012.

"Federal Circuit Clears Pathway Through 'Recapture Rule' Minefield," *Thomson Reuters News & Insight*, June 2012.

## **Education**

Washington and Lee University School of Law, J.D.

2008 – *magna cum laude*, *Order of the Coif*

Southern Methodist University, School of Engineering, B.A., Computer Science

2005 – *summa cum laude*

Southern Methodist University, Meadows School of the Arts, B.A., Viola Performance

2005 – *summa cum laude*

Southern Methodist University, Dedman College, B.A., Applied Mathematics

2005 – *summa cum laude*

## **Certifications**

Certified Licensing Professional

## **Noteworthy**

*Chambers USA*, Texas Intellectual Property, 2023

*The Legal 500 United States*, Media, Technology and Telecoms: Outsourcing, 2023

Euromoney Institutional Investor PLC, *Benchmark Litigation*, 40 & Under Hot List, 2018 - 2023

Texas Bar Foundation, Fellow

U.S. Court of Appeals for the Fifth Circuit, Judicial Clerk

Washington and Lee University School of Law, *Washington and Lee Law Review*, Managing Editor

Washington and Lee University School of Law, *Phi Delta Phi*

## **Affiliations**

Bar Association of the Fifth Federal Circuit

State Bar of Texas

Houston Bar Association

Licensing Executives Society, U.S. and Canada, Houston Chapter Chair, 2013 - 2015; Software Committee  
2009 - 2011

Frame Dance Productions, Legal Counsel

## **Bar Admissions**

Texas