



Constance Gall Rhebergen

Partner

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About Constance

Constance Rhebergen, a member of the firm's management committee, serves as chair of the firm's technology section. Ms. Rhebergen leverages her experience in litigating patent, trademark and copyright infringement cases, Internet domain name cases, trade secrets, unfair competition, as well as counseling on the protection of intellectual property assets in acquisitions and financial restructuring. She is known for quickly determining what clients need, and more importantly, what it takes to achieve these goals.

As a registered patent attorney, Ms. Rhebergen is extremely well placed to counsel and represent business clients in the identification, protection, licensing and transfer of intellectual property assets and in providing patent infringement and validity opinions. She brings to bear a comprehensive range of skills to advise businesses and government agencies in the United States, Latin America, Europe, MENA region and beyond with a proficiency on all matters concerning intellectual property, portfolio management and international intellectual property law disputes.

Ms. Rhebergen has a rich blend of skills honed over years of practice. As a result, she is highly proficient across a range of technologies, including energy, chemical and process applications, mechanical arts, and computer software. Industries served include oil and gas, hydrocarbon, processing, chemical processing, petrochemicals, agriculture and food, computer software, oil well drilling, carbon capture, synfuel, sports, education, telephone, wastewater, mechanical equipment, instrumentation, explosives, cryptocurrency and crypto mining. Ms. Rhebergen counsels numerous clients with respect to their intellectual property strategies, including registration of trademarks, copyrights and patents.

Recent Notable Matters

Renewable energy facility provider — advise privately-held client engaged in the design, construction and operation of large-scale data centers optimized to host cryptocurrency mining rigs using renewable energy

Crédit Agricole Corporate & Investment Bank — as lead arranger, in the \$4.65 billion financing of McDermott International, Inc.'s all-stock combination with Chicago Bridge & Iron Company N.V., consisting of a \$2.26 billion senior secured term loan facility, a \$1.0 billion senior secured revolving credit facility and a \$1.39 billion senior secured letter of credit facility

National oil companies — patent prosecution, trademark matters, licensing, joint development and commercialization negotiations

Large fuel and lubricant technology company — patent prosecution, worldwide intellectual property asset management and trade secret litigation

Petrologistics — negotiation of license and engineering and technical services agreement for C3 Catofin - Dehydrogenation Unit for production of polypropylene, as well as development of intellectual property strategy surrounding auxiliary developments

Kinder Morgan, Inc. — contract negotiations for condensate processing service agreements and engineering procurement agreements relative to development of multiple units of new condensate plant as well as further expansions

Westinghouse — negotiation of intellectual property provisions and licenses in engineering, procurement and construction agreement and consortium arrangements for new nuclear power plants in the United States, Canada and Poland

ITS — multimillion dollar software negotiation with one of the world's major software companies

Trademark owners — domain name disputes before ICANN

Software developer — Internet domain name disputes and copyright issues related to Digital Millennium Act, warez sites and translations

International Internet recruitment service provider — intellectual property issues including privacy issues, data protection and safe harbor provisions

School districts and colleges — copyright issues, Internet privacy and terms of use, distance learning and rights of publicity

Merchant energy company — intellectual property component of securing \$6.2 billion in credit facilities

Progress Materials — patent prosecution and multi-million dollar patent litigation

Fortune 500 U.S. energy company with international assets — sale of assets, including evaluation and due diligence of all intellectual property assets

Public entity — \$20 million software license and service agreement negotiation and due diligence

Engineering company — patent prosecution and multinational trademark protection

City of Madrid — intellectual property licensing negotiation for a theme park with a major entertainment corporation

Publications and Speeches

“Keep Quiet and Carry On Under the EU Trade Secrets Directive,” *IP Magazine*, September 2016.

“Dangerous Waters in the Safe Harbour,” *IP Magazine*, February 2016.

Education

University of Houston Law Center, J.D.

1994

University of Houston, M.B.A.

1994

Northwestern University, B.S., Chemical Engineering
1986

Certifications

Certified Licensing Professional

Noteworthy

Chambers USA, Texas Intellectual Property, 2006 - 2012, 2014 - 2022

The Legal 500 United States, Intellectual Property: Patents: Prosecution (Including Re-Examination and Post-Grant Proceedings), 2021 - 2022; Intellectual Property: Patent Prosecution: Utility and Design Patents, 2011 - 2015

Newton Media Ltd, *World IP Review*, WIPR Leaders, 2017 - 2019

Globe Business Publishing Ltd., *IAM Patent 1000*, 2012 - 2022

Euromoney Institutional Investor PLC, *Managing Intellectual Property*, IP Star (Texas), 2014 - 2022; IP Star (United States), 2014; IP Stars: Top 250 Women in IP, 2013 - 2014

National Diversity Council, 50 Most Powerful Women in Technology, 2021

American City Business Journals, *Houston Business Journal*, Women Who Mean Business, 2018

American City Business Journals, *Houston Business Journal*, Top IP Litigators in Houston, 2011

Texas Diversity Council, Houston's Top 50 Women in Law, 2017

BL Rankings, *Best Lawyers*, Litigation - Patent, 2021 - 2023; Litigation - Intellectual Property, 2023

Thomson Reuters, *PLC Which Lawyer?*, 2010 - 2012

Thomson Reuters, *Super Lawyers*, Corporate Counsel Edition, 2008

Thomson Reuters, *Texas Super Lawyers*, 2006 - 2007

Globe Business Publishing Ltd., *Client Choice*, 2015

Affiliations

State Bar of Texas

Houston Intellectual Property Law Association

Texas Women Lawyers

International Trademark Association

Texas Bar Foundation, Fellow

Bar Admissions

Texas

U.S. Patent and Trademark Office

Languages

German