



Matt Gates

Senior Counsel

Austin

T: +1.512.542.2105

F: +1.800.404.3970

E: matt.gates@bracewell.com

About Matt

Matt Gates focuses his practice on complex commercial litigation and intellectual property matters, including patent infringement, trade secret misappropriation, contract disputes, and trademark counseling and litigation. He also advises clients on antitrust and competition matters, as well as copyright counseling and litigation. Matt understands that litigation is often costly and time-consuming so he is focused on minimizing these burdens for his clients and putting his clients in the best possible position to achieve the most favorable results.

Matt has represented technology companies of all sizes in state and federal courts across the United States, as well as investigations before the International Trade Commission. These cases have involved a wide range of technologies and industries, including semiconductors, software, consumer electronics and wireless networking.

Recent Notable Matters

Versata Software, Inc. — representing Versata Software, Inc. against Configit in case involving allegations of trade secret theft in the Western District of Texas, Waco Division

Nautilus Inc. — lawsuit accusing Icon Health & Fitness Inc. of breaching patent license and failing to pay royalties owed on a Chinese patent; won summary judgment on behalf of Nautilus against ICON in Western District of Texas, San Antonio Division, securing a \$2 million judgment; US Court of Appeals for the Fifth Circuit affirmed district court's decision after oral argument handing down a \$2 million judgment against ICON*

Slyce Acquisition — multiple patent infringement matters involving mobile visual search technologies

Trilogy Enterprises, Inc — trademark infringement litigation against Trilogy Education Services, Inc.

Paradigm B.V. and its subsidiaries — defended patent infringement claims relating to the company's oil and gas exploration software*

Freescale Semiconductor — prosecuted patent infringement cases involving semiconductor circuits before the International Trade Commission

BMC Software — multi-patent infringement defense litigation involving mainframe capacity management software*

CA, Inc. — asserted three patents-in-suit against competitor New Relic Inc.*

Hewlett-Packard Co. — multi-district litigation against claims of patent infringement involving 23 asserted patents-in-suit allegedly covering IEEE 802.11 a/b/g technology

Versata Software Inc. — litigation against Callidus Software Inc. involving six asserted patents including an interlocutory appeal argued at the Federal Circuit.

Versata Software, Inc. — patent litigation involving two patents relating to enterprise-wide goal management software

BMC Software — patent litigation involving network management software

Freescale Semiconductor — prosecuted patent infringement case in a three-patent International Trade Commission investigation involving semiconductor circuits and packaging technologies

Freescale Semiconductor Inc. — multi-patent suit against claims of patent infringement involving Ethernet technology

HP, Inc. — patent declaratory judgment action involving IEEE 802.11a/g wireless LAN devices. Case settled favorably on eve of trial

Various manufacturers — represented respondents The Black & Decker Corporation, Black & Decker (U.S.) Inc., bObsweep, Inc., bObsweep USA, Hoover Inc., Royal Appliance Manufacturing Co. d/b/a TTI Floor Care North America, Inc. and Shenzhen Silver Star Intelligent Technology Co., Ltd. Before the International Trade Commission regarding alleged infringement of Complainant iRobot's patents resulting in favorable Final Initial Determination finding invalidity and no infringement of certain products and patents (Certain Robotic Vacuum Cleaning Devices and Components Thereof Such As Spare Parts, Inv. No. 337-TA-1057)*

Academy of Allergy & Asthma in Primary Care and United Allergy Services — several antitrust matters in federal district courts concerning efforts to foreclose allergy testing and immunotherapy markets*

RetailMeNot, Inc. — represented the world's largest marketplace for digital offers, in defending against claims of breach of contract and misappropriation of trade secrets*

Valve Corporation — defense of Seattle-based video game development and digital distribution company and operators of the Steam gaming platform, against patent infringement claims*

ZTE Corp. and ZTE (USA) Inc. — multiple patent infringement matters related to battery power savings and related technologies*

* Work completed prior to Bracewell

Education

The University of Texas School of Law, J.D.
2009 – *with honors*

The University of Texas at Austin, B.A.
2006 – *magna cum laude*

Noteworthy

BL Rankings, *Best Lawyers*, Ones to Watch, Intellectual Property Law, 2021 - 2022

Bar Admissions

Texas