



Brian Cook

Counsel

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Brian Cook is a highly trained patent and technology litigator. He represents a broad spectrum of clients in various industries such as consumer electronics, broadcasting, software, Internet-related technologies, streaming digital media, semiconductors, and wireless communications.

Brian utilizes his patent expertise and background in physics to assist clients with patent litigation matters, section 337 investigations by the International Trade Commission, licensing and breach of contract disputes over intellectual property, Inter partes review and covered business method review actions before the Patent Trials and Appeals board, and patent drafting and prosecution.

Brian worked as an engineer and project element manager at the Jet Propulsion Laboratory in the Mars Program for eight years prior to joining O'Melveny. He led the design team that developed the telecommunications system for the Spirit and Opportunity rovers that landed on Mars in 2003 and subsequently was awarded a NASA Exceptional Achievement Medal. For the Mars Science Laboratory Project, Brian managed a group of more than forty engineers who developed its flight avionics subsystem. In addition, Brian is experienced in telecommunications systems engineering, flight radar hardware design and development, radio-frequency integrated circuit (RFIC) design, digital signal processing, digital ASIC and FPGA design, software development, and flight transponder delivery to multiple NASA deep space missions.

Given his extensive background, Brian understands the importance of protecting and defending a company's intellectual

Admissions

Bar Admissions

California

Court Admissions

U.S. District Court, Central and Northern Districts of California

Registered to Practice

U.S. Patent & Trademark Office

Education

University of Southern California, J.D.: *order of the coif*; Ray R. and Dorothy R. Goldie Scholar; Teaching Fellow, Legal Writing and Advocacy; Grading Fellow, G. Lefcoe Real Estate Development and Financing; Member, *Southern California Law Review*

California Institute of Technology, Ph.D., Experimental Nuclear Physics; M.S., Physics

Yale University, B.S., Physics: *cum laude*; DeForest Pioneers Prize for creative achievement in physics

property. He carefully listens to his clients, identifies their goals and constraints, and utilizes his scientific training and sharp legal skills to formulate winning strategies that provide them with the most optimal results.

Experience

- Representing a global smartphone and tablet manufacturer in patent litigation involving digital image processing, face detection, and tracking in the Eastern District of Texas
- Representing a major smartphone, computer, and camera manufacturer in patent litigation involving digital image processing in the Eastern District of Texas and successfully invalidated every asserted claim in either district court, inter partes review, or ex parte reexamination before the USPTO, and currently defending an appeal to the Federal Circuit
- Achieved a favorable settlement for a major smartphone supplier in patent litigation involving near-field communications (NFC) for secure payment transactions in the Eastern District of Texas.
- Achieved a favorable settlement for a major chip supplier in patent litigation involving memory devices with self-timed latches in the Central District of California
- Achieved complete dismissal of all claims against a major television and satellite broadcasting company involving digital signal translation by invalidating all asserted patents on summary judgment in the Central District of California
- Achieved a favorable settlement for a major cellular phone and computer manufacturer in patent litigation involving technologies relating to graphics display algorithms, internet filters, graphical user interfaces, secure media transfer, and secure boot technologies in the Northern District of California
- Achieved complete dismissal of patent litigation brought against a large broadcasting company involving in-band on-channel digital broadcasts in the Southern District of New York after filing Covered-Business-Method Review petitions before the Patent Trials and Appeals Board
- Representing a major supplier of three-dimensional stacked memory devices in patent litigation in the District of Delaware
- Secured dismissal of all patent claims asserted against a major satellite television broadcaster in the Western District of Texas by invalidating the asserted patent as being drawn to ineligible subject matter and successfully defended an appeal to the Federal Circuit.
- Achieved a favorable settlement for a major supplier of optical disc drives and players in a Section 337 investigation in the International Trade Commission
- Achieved a favorable settlement for a manufacturer of digital music players and MPEG codecs in patent litigation in the Eastern District of Texas
- Achieved a complete dismissal of patent infringement claims asserted against a major manufacturer of touch-screen devices in the Northern District of California

Professional Activities

Author

- "Intellectual Property Law," California Litigation Review (2008) (co-author)
- "Clearing a Path for Digital Development: Taking Patents in Eminent Domain Through the Adoption of Mandatory Standards," 82 S. Cal. L. Rev. 97 (2008)

- “Frequency-Agile Multi-Channel X-Band Coherent Receiver and Transmitter,” NASA IPN Progress Reports 42-166 (August 16,2006) (co-author)
- “Development of the Advanced Deep Space Transponder,” NASA IPN Progress Reports (February 15, 2004) (co-author)
- “Fast neutron production by 190 GeV/c muon interactions on different targets,” Nuclear Instruments and Methods A 490 (1-2), p334-43 (2002) (co-author)
- “Final results from the Palo Verde neutrino oscillation experiment,” Physical Review D v6411 (2001) (co-author)
- “The NASA Spacecraft Transponding Modem,” NASA Tech Brief NPO-21004, (2001) (co-author)
- “Neutron Production by cosmic-ray muons at shallow depth,” Physical Review D v6209 (2000) (co-author)
- “Search for neutrino oscillations at the Palo Verde Nuclear Reactors,” Physical Review Letters v84 (2000) (co-author)
- “A method to calibrate a neutrino detector using the positron emitter Ge-68,” Nuclear Instrument and Methods A 385, p85-90 (1997) (co-author)
- “The San Onofre Neutrino Oscillation Experiment,” Nuclear Physics B 35, p447-49 (1994) (co-author)
- “H-2, D-2, and HD ionization potentials by accurate calibration of several iodine lines,” Physical Review A 47(5), p4042-45 (1993) (co-author)

Honors & Awards

- NASA Exceptional Achievement Medal
- NASA Group Achievement Award
- JPL NOVA awards
- NASA Achievement Awards
- National Science Foundation Fellowship

Languages

- French