SQUIRE PATTON BOGGS

Victoria Q. Smith



Partner

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Languages spoken
Cantonese | Chinese

About Victoria

Victoria Smith is a partner in the Intellectual Property & Technology Practice Group. Victoria's clients benefit from her 20 years of experience honing litigation strategies in complex, high-stakes patent litigation matters.

With a keen instinct for framing cases for trial and crafting practical solutions, she assembles the right team of lawyers that her clients need and brings creativity and passionate advocacy to every matter she handles.

Victoria works with clients at the forefront of a wide range of industries in cases involving cutting-edge technologies focusing on electronics, including telecommunication devices, RF filters, graphic chips and wireless networking devices; software, including enterprise software and software for email, mapping, image compression and graphics processing; data encryption, compression, and transmission; biotech and pharmaceuticals; and mechanical and safety devices.

Victoria has extensive experience navigating the rules and procedures in the nation's top patent litigation venues, including district courts and the Federal Circuit, as well as the International Trade Commission and the Patent Trial and Appeal Board (PTAB). She has argued in court on all phases of patent litigation, including discovery disputes, *Markman*, summary judgment, *Daubert* and other pre-trial motions. Victoria has also direct examined and cross examined witnesses at trial.

Having benefited from great opportunities and candid mentorship, Victoria pays it forward by giving back to the community and helping to make a difference where she works and lives. She served on the board of the Asian Law Alliance (ALA) for many years, and as its president in 2020 and 2021. Victoria has also coached mock trial teams at an East Palo Alto high school for underprivileged students. Her *pro bono* work includes winning clemency from a life sentence for a client who had no history of violence, US citizenship for several soldiers enlisted in the US Army who would face persecution if sent back to their home countries and backpay for a non-English-speaking electrician preyed upon by a bonded contractor. Victoria focuses her current *pro bono* efforts on winning monetary damages for victims of child sexual abuse from their convicted abusers. Victoria coded at an architectural firm before attending law school. She speaks Cantonese fluently. On her off-time, Victoria experiments in her flower beds and vegetable garden, and slowly but steadily regains the attention span she had as a child for reading novels.

Experience

- ***Ortiz & Assocs. Consulting, LLC v. NETGEAR, Inc.* (D. Del.)** – Defended NETGEAR in the District of Delaware in a two-patent infringement case. The case was successfully resolved for NETGEAR after moving to dismiss for lack of prosecution and forcing plaintiff to correct its notice of voluntary dismissal without prejudice to a stipulation of dismissal with prejudice.
- ***Parity Networks LLC v. NETGEAR, Inc.* (D. Del.)** – Defended NETGEAR in the District of Delaware in a six-patent infringement case. The case was resolved favorably for NETGEAR prior to Markman.
- Defended a client in a trade secret case in the District of Delaware. At trial, prepared and conducted direct examination of two expert witnesses, and cross-examined two expert witnesses.
- ***Hy-Ko Products Co. LLC v. Hillman Group Inc.* (E.D. Tex.)** – Represented Hy-Ko against its competitor in patent case relating to key duplication technology. Won a jury verdict of non-infringement and damages, and a finding of no invalidity for Hy-Ko's patents. Lead drafter of winning patent owner preliminary responses that defeated four IPR challenges.
- ***Sungkyunkwan University Foundation for Corporate Collaboration v. Pinterest, Inc.*(N.D. Cal.)** – Represented Pinterest in patent litigation relating to providing personalized content in response to a user query. Obtained summary judgment of non-infringement.*
- ***Wireless Recognition Techs. LLC v. A9.com, Inc., et al.* (E.D. Tex.)** – Patent infringement action involving image recognition software.*
- ***Mount Hamilton Partners, LLC v. Google Inc.* (N.D. Cal.)** – Patent infringement action involving online discount software.*
- ***Fuzzysharp Techs. Inc. v. Intel Corporation* (N.D. Cal.)** – Patent infringement action involving graphics software and chips.
- ***Transcenic, Inc. v. Google Inc., et al.* (D. Del.)** – Patent infringement action involving street-level mapping technology.
- ***SPH America, LLC v. ACER, Inc., et al.* (S.D. Cal.)**– Defended Motorola in a patent infringement action involving WCDMA technology.*
- ***Versata Software, Inc. v. SAP AG, et al.* (E.D. Tex.)**– Defended SAP in a patent infringement action involving configuration, pricing, and order management enterprise software.*
- ***Amgen Inc. v. F. Hoffman-La Roche Ltd.* (D. Mass.)** – Represented Amgen in a declaratory judgment action involving recombinant erythropoietin.*

*Experience gained prior to joining the firm.

Credentials

Education

- University of Michigan Law School, J.D., Executive Editor, *University of Michigan Journal of Law Reform*, 2002
- University of Tulsa, B.S., Computer Science, 1999

Admissions

- Texas, 2010
- California, 2005

Recognitions

- Listed in *Super Lawyers Magazine* as a Northern California Rising Star 2013-2016

Expertise

Services

- Intellectual Property & Technology

Publications and Speaking Engagements

- Co-presenter, "Laws to Know for 2020," National Association of Women Business Owners.
- Co-author, "The Real World Impact of Patent Damages," *The IP Litigator*, January/February 2019.
- Contributor, "*Inter Partes* Review Proceedings: A Fourth Anniversary Report," September 2016.
- Co-author, "2012 Trends in Patent Case Filings," *The Federal Circuit Bar Association Newsletter*, March 2013.

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.