

CURRICULUM VITAE

DR. MARC ROBERT LABGOLD

ARBITRATOR • ARBITRATION COUNSEL • PATENT LITIGATOR

REGISTERED U.S. PATENT ATTORNEY • ADJUNCT PROFESSOR OF LAW

OVERVIEW

I am an independent international arbitrator and also regularly serve as lead counsel in complex international commercial arbitrations under a broad range of arbitral rules and procedures (e.g., ICC, UNCITRAL, HKIAC, FAA, *ad hoc*), in disputes arising from a wide array of contract types including, *inter alia*, OEM agreements, EPC contracts, industrial construction contracts, distribution agreements, license agreements, joint development agreements, research agreements. I have led the successful defense against numerous jurisdictional challenges (including the binding of non-signatories) and have achieved awards as high as US\$475,000,000. I have experience and expertise in disputes involving patents, misappropriation of trade secrets, trademarks and copyrights, both as counsel and as arbitrator.

As a Registered U.S. Patent Attorney specializing in patent litigation, I have nearly 30 years of experience serving as lead counsel/first chair in more than 60 patent infringement cases and patent appeals involving a broad range of technology areas including, *inter alia*:

- Life sciences, *in vitro* diagnostics (IVD), recombinant DNA, antibodies, biotechnology, molecular biology, protein engineering, nucleic acid amplification (PCR, LAMP, isothermal), reverse transcriptase, DNA polymerases, enzymes, medical devices, pharmaceuticals, nutraceuticals, biologics, food processing, food additives, aseptic packaging; fermentation, biosensors, mutagenesis, arrays, lab-on-a-chip, ELISA, lateral flow, bio-separation, endonucleases, exonucleases, HPV, iRNA, cancer screening, microfluidics, herbicides (glyphosates), GMO;
- Organic chemistry, organometallics, industrial chemistry, chemical processes, chemical engineering, plant design; and
- Electrical and mechanical engineering, semiconductors, computers, internet, networking, signal packaging and processing, software, telecommunications, video games, gaming technologies, holography; printers (laser, led, ink jet, impact).

I counsel clients on a wide range of patent issues including, *inter alia*, freedom-to-operate, infringement, validity, enforceability, licensing, valuation and acquisition. I have served as an expert witness on the issue of patent enforceability/inequitable conduct.

CURRENT POSITIONS

FOUNDER / PARTNER

Labgold Law (Reston, VA)

2009-Present

OF COUNSEL

Nagashima Hashimoto & Yasukuni (Tokyo, Japan)

2009-Present

ADJUNCT PROFESSOR OF LAW

Florida International University, College of Law (Miami, FL)

2022-Present

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**PRIOR
EXPERIENCE**

PARTNER (Chair of IP Department)
Patton Boggs, LLP (Washington, DC; Northern Virginia) 2002-2008

PARTNER (Co-Chair IP Practice; Chair Patent Litigation)
Piper, Marbury, Rudnick & Wolfe, LLP (Washington, DC) 2000-2002

PARTNER (Co-Chair IP Practice; Chair Patent Litigation)
Long Aldridge & Norman, LLP (Washington, DC) 1999-2000

PARTNER
Oblon, Spivak, McClelland, Maier & Neustadt, PC (Arlington, VA) 1990-1999

EDUCATION

GEORGE WASHINGTON UNIVERSITY, NATIONAL LAW CENTER
Juris Doctorate (J.D.) 1995

CALIFORNIA INSTITUTE OF TECHNOLOGY
Doctor of Philosophy (Ph.D.) - Chemistry / Molecular Biology 1991

NEW YORK UNIVERSITY
Bachelor of Arts (B.A.) - Chemistry 1986

**ARBITRATOR
PANELS**

AIAC Panel of Arbitrators
AIPLA List of Arbitrators and Mediators
ICDR Panel of Arbitrators
THAC Panel of Arbitrators
WIPO List of Neutrals

ADMISSIONS

UNITED STATES PATENT & TRADEMARK OFFICE
Registration No. 34,651 (1990)

STATE BAR ADMISSIONS
District of Columbia Bar (2001)
State Bar of Georgia (1995)

APPELLATE COURT ADMISSIONS
United States Supreme Court (2005)
Court of Appeals for the Federal Circuit (1996)
Court of Appeals for the Second Circuit (2023)
Court of Appeals for the Ninth Circuit (2017)
D.C. Court of Appeals

U.S. DISTRICT COURT ADMISSIONS
Eastern District of Texas (2016)
Northern District of Georgia (1995)
District of Colorado (2006)
District of Maryland (2000)

ACCREDITATIONS FELLOW (FBIAM), Bali International Arbitration and Mediation Center
FELLOW (FPD), Prime Dispute
MEMBER (MCIARB), Chartered Institute of Arbitrators

PROFESSIONAL INVOLVEMENT ADJUNCT FACULTY, International Commercial Arbitration, FIU Law
GUEST LECTURER, Transnational Advocacy, FIU Law
FACULTY, International Commercial Arbitration, Lawline (New York)
COACH, FIU Law's Willem C Vis International Commercial Arbitration Moot Team
VOLUNTEER ARBITRATOR, Willem C Vis International Commercial Arbitration Moot
VOLUNTEER ARBITRATOR, Vis East International Commercial Arbitration Moot

MEMBERSHIPS AIPLA - American Intellectual Property Law Association
Association Internationale pour la Protection de la Propriété Intellectuelle (AIPPI-US)
American Bar Association
Federal Bar Association
International Bar Association
Moot Alumni Association
Silicon Valley Arbitration & Mediation Center

RECENT PUBLICATIONS Marc Labgold and Megan Labgold, "Arbitration Tech Toolbox: ICC Case Connect – A User Perspective" (2023) KLUWER ARBITRATION BLOG, <https://arbitrationblog.kluwerarbitration.com/2023/02/21/arbitration-tech-toolbox-icc-case-connect-a-user-perspective/>
Marc R Labgold (panelist), International Arbitration Round Table (2nd ed), Prime Dispute (2023).
Marc Labgold and Megan Labgold, "Should I Arbitrate My Patent Dispute?" (2022) KLUWER ARBITRATION BLOG, <http://arbitrationblog.kluwerarbitration.com/2022/11/29/should-i-arbitrate-my-patent-dispute/>
Takaaki Nagashima, Tadahiko Yasukuni, Dr. Marc R. Labgold and Megan C. Labgold, "Comparison in Practice between "Japanese" Arbitration and Foreign Arbitration", JAPAN COMMERCIAL ARBITRATION JOURNAL, Vol 3, 18-30 [2022].
Marc R. Labgold and Megan C. Labgold, "Authority to Order a Remote Hearing Over a Party Objection: A Model Law Perspective", WORLD ARBITRATION AND MEDIATION REVIEW (WAMR) 2019 Vol. 13, No. 1, 41-62 (published December 2020).
John Han, Su Mien Tee, Francesca Ip and Marc R. Labgold, "Hong Kong court looks at 'choice of remedies' doctrine and power to correct awards", GLOBAL ARBITRATION REVIEW (09 December 2020).

PATENTS

Labgold, Marc R., *et al.*, Self-Actuating Signal Producing Device and Methods, [U.S. Patent No. 11,307,201 B2](#), issued April 19, 2022.

Labgold, Marc R., *et al.*, Self-Actuating Signal Producing Device and Methods, [U.S. Patent No. 11,385,226 B2](#), issued July 12, 2022.

Labgold, Marc R., *et al.*, Self-Actuating Signal Producing Device and Methods, Australia Patent No. 2008302367 B2, issued October 3, 2013.

Labgold, Marc R., *et al.*, Self-Actuating Signal Producing Device and Methods, Japan Patent No. 5248613 B2, issued July 31, 2013.

WEB LINKS

