



Ken Kula

Senior Counsel

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Ken's practice is focused primarily on high stakes intellectual property lawsuits and complex commercial litigation. He has successfully prosecuted and defended numerous clients in patent, trade secret, trademark, copyright, contract, fraud, and other complex commercial lawsuits. Ken's practice also includes other, less traditional intellectual property related cases. Notable trials include representation of a sauna company against numerous competitors in a multi-count complex commercial litigation that resulted in the first known reported corporate defamation verdict in state history and the successful defense of a patent-prosecution law firm for legal malpractice.

Ken was formerly a shareholder at McDole Williams, where he was one of the lead attorneys in that firm's intellectual property litigation section and was Of Counsel in the Kansas City office of Shook, Hardy & Bacon, LLP. Ken was an Adjunct Professor at Washburn University School of Law where he taught intellectual property courses and served as an Ethics Investigator for his local bar association. Ken was also formerly associated with the Dallas offices of both Jones Day and McKool Smith, P.C. where he litigated patent, trademark, contract and other complex commercial litigation matters.

Ken is an avid golfer, who also enjoys chess, football, cycling, working out, cross country skiing, reading and traveling.

Education

J.D., *cum laude*, Washburn University School of Law, 1993

B.S., Computer Science, St. John Fisher College, 1990

Court Admissions

All Texas State Courts

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Northern District of Texas

U.S. District Court for the Western District of Missouri

U.S. District Court for the District of Kansas

U.S. District Court for the District of Nebraska

U.S. District Court for the Western District of Wisconsin

U.S. Court of Appeals, Federal Circuit

Representative Matters

Represented oscilloscope-technology company in copyright, trademark and patent matters.

Represented bioelectricity technology company in copyright infringement case with competitor.

Represented architect and building contractor in copyright, trademark and cybersquatting dispute.

Represented global leader in the development and manufacture of high quality specialty fluids and lubricants in trademark-infringement case.

Represented inventor and seller of hockey puck trailer hitch covers in patent-infringement case.

Represented trade show promotional products company in trademark-infringement case.

Represented global computer-entertainment company in trademark infringement, patent infringement and other complex commercial litigation matters.

Defended solar energy company in copyright-infringement dispute.

Represented global heat-transfer company in breach-of-contract case.

Defended global communications company in patent-infringement-related case.

Defended designer, manufacturer, and servicer of high-quality and long-lasting hydraulic power systems in multiple patent-infringement cases.

Represented coffee roaster company in policing, protecting and enforcing its trademark and service mark in trademark-infringement dispute.

Defended national bank in patent-infringement case.

Defended fluid transfer solutions company in complex commercial litigation.

Defended independent Texas oilfield services contractor in patent-infringement case.

Defended national big box retail store in multiple patent-infringement cases.

Represented sauna company in complex commercial litigation.

Represented world leading organic-acid testing laboratory in patent-infringement case.

Defended patent-prosecution law firm in legal malpractice case.

Defended real estate mogul in cybersquatting dispute.

Represented international manufacturer of gaming products in breach-of-contract case.

Represented architect and building contractor in copyright-infringement case.

Defended frozen custard manufacturer and seller in trademark opposition action.

Defended world's largest manufacturer of gas turbine power generation systems in copyright-infringement, trade secret, and unfair competition case.

Defended international leading manufacturer of wigs, hairpieces, hair additions and hair extensions in patent-infringement case.

Defended global telecommunications company in patent-infringement and copyright-infringement cases.

Defended international rock star against copyright infringement, false copyright registration, breach of fiduciary duty, and various Lanham Act claims

Publications & Speaking Engagements

Speaker, "Everything You Don't Know About E-Discovery (But Wish You Did)," Dallas, Texas (December 11, 2015).

Speaker, "Find it Free and Fast on the Net (Strategies for Legal Research on the Web)," Dallas, Texas (September 19, 2014).

Speaker, "Law Firm Management and the Ethical Considerations therewith," Topeka, Kansas (May 14, 2010).

Speaker, "Find it Free and Fast on the Net (Strategies for Legal Research on the Web)," Kansas City, Missouri (June 29, 2009).

Author, "Making Your Electronic Evidence Usable In the Courtroom," National Business Institute (December 11, 2015).

Author, "Federal Circuit's Reversal of Suprema Ruling May Open the Flood Gates at the ITC for Induced-Infringement Claims," Firm Blog, August 26, 2015.

Professional & Community Activities

Member, State Bar of Texas

Member, American Bar Association

Member, Dallas Bar Association

Member, The College of the State Bar of Texas

Member, Federal Bar Association

Faculty, National Institute of Trial Advocacy

Faculty, Missouri Organization of Defense Lawyers

Awards & Recognition

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