

## Christian J. Cowart

### Senior Counsel

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**APPRECIATED FOR HIS GENUINE AND DOWN-TO-EARTH APPROACH, CHRISTIAN ENJOYS HELPING ENTREPRENEURS BUILD THEIR BUSINESSES THROUGH STRATEGIC PROTECTION OF THEIR INTELLECTUAL PROPERTY RIGHTS, ALLOWING THEM TO SAFEGUARD THEIR BRANDS AND SECURE THEIR INNOVATIONS FOR GROWTH.**

Christian continues to follow his passion for storytelling as a trial attorney focused on intellectual property and business disputes. His work focuses on a variety of intellectual property issues ranging from advertising under confusingly similar trademarks to protecting patented inventions to copyrighting original photographs. Christian has represented both large and small companies in cases concerning securities fraud, trade secret theft, employment discrimination and business ownership disputes. While Christian has primarily served as an intellectual property litigator, his first trial was a pro bono case to protect a mother and her children seeking asylum.

## Practices

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Litigation  
Intellectual Property

## Industries

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Agribusiness, Beverage and Food  
Manufacturing  
Software, Technology and Telecommunications  
Sports and Entertainment  
Wholesale, Retail and Services

## Representative Experience

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- First-chaired a jury trial in *Nursery Decals & More, Inc. v. Neat Print, Inc.* (N.D. Tex. and 5th Cir.) representing an alleged infringer counterclaiming for tortious interference based on four trademark registrations being fraudulently procured. Prevailed on summary judgment cancelling all of the trademark registrations based on invalidity.
- Assisted in prosecution of an author's counterclaims in *Friedheim v. Hoerber* (N.D. Tex.) against a former company based on three copyrightable works in liquor bottle materials. The jury returned a verdict of both fraud on the Copyright Office by the former company in claiming authorship and infringement of the three copyrights.
- First-chaired a Zoom bench trial in *ARR3 Land Ltd. v. Sugar Shack Beach Café LLC* (Dallas Cty., Tex.) representing an alleged guarantor against commercial landlord for breach of a commercial lease, winning a take-nothing judgment on a claim of more than \$1.3 million by establishing that no valid guaranty existed as a matter of law.
- Won dismissal with prejudice of a trade-secret misappropriation case on a *Rule 12 motion* in *KLX Energy Services, LLC v. Telos Industries, Inc.* (D.N.D. and N.D. Okla.) for a product distributor concerning a pressure relief automation system for hydraulic fracturing. Further, obtained a settlement because of a motion seeking summary judgment on a plaintiff's claims for trade secret misappropriation and correction of named inventorship on patents.
- Secured injunctive relief against approximately 2,400 defendants infringing upon copyrights on e-commerce marketplaces, including Amazon, eBay, Etsy, and Walmart, in several cases in the Northern and Western Districts of Texas.
- First-chaired a bench trial in *Parish v. Bazaldua* (Dallas Cty., Tex.) representing a candidate for Dallas City Council against allegations of voter fraud and secured dismissal for lack of subject matter jurisdiction based on mootness.
- Secured voluntary dismissals of patent infringement cases in *Linfo IP, LLC v. Academy, Ltd.*, (W.D. Tex.) and *mCom IP, LLC v. First Tech Federal Credit Union* (W.D. Tex.) following *Rule 12* motions for unpatentable subject matter under 35 U.S.C. § 101 and improper venue under 28 U.S.C. § 1400.
- Defeated an infringer's request in *Naar Boven Corp. v. XLR8 Enterprises, LLC* (N.D. Tex.) for a pretrial bifurcation of claim-construction issues in a design patent case relating to horse products.
- Established collateral estoppel in *Thieret Family, LLC v. Brown* (E.D. Mo. and N.D. Tex.) resulting in the transfer of a securities fraud case to Texas and obtained a case bifurcation at the scheduling conference to resolve the issue of *res judicata*, which stayed all matters, including discovery, relating to the purchasers' securities fraud claims.

- Proved lack of personal jurisdiction in *Stratuslive, LLC v. The WIMR Group* (E.D. Va.) by negating that 18,000 connections to a web-based CRM system with servers located in Virginia constituted purposeful availment.
- Assisted in opposing an infringer's motion to dismiss in *XiDrone Systems, Inc. v. 911 Security, Inc.* (N.D. Tex.) based on unpatentable subject matter under 35 U.S.C. § 101 concerning claims to detect, track and deter small drones.
- Assisted in preparing motions in *Eko Brands, LLC v. Solofill, LLC* (S.D. Tex.) for dismissing patent inequitable conduct counterclaims and construing claim terms concerning a patent on a beverage brewing device.
- Defended trademark infringement claims in *Modern Point, LLC v. ACU Development, LLC* (D. Minn.) brought against a franchisor who had nationwide licenses of the alleged infringing mark.
- Reduced the restructuring costs for the reorganized debtor by more than \$500,000 in *In re Taco Bueno Restaurants, Inc.*, (Bankr. N.D. Texas).

## Noteworthy

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- Selected by attorney peers for inclusion as Texas Rising Star®, *Thomson Reuters, 2022-2024*

## Activities and Memberships

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- Thomas Aquinas Catholic Church
  - Catechist, Co-Leader, Order of Christian Initiation of Adults
  - Thomas Aquinas Young Adults
- Monica Catholic Church
  - Catechist, Teacher, Faith Formation: First Holy Communion
  - Monica Young Adults
- Homeless Ministry, serving the poor in downtown Dallas
- Young Catholic Professionals
- Foundation for C.H.O.I.C.E., mentoring young students at Dallas ISD
- Dallas Bar Association

- Member

## Publications

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- "Credibility During Zoom Trials, Hearings, and Depositions: How Counsel Can Overcome New Challenges," 84 *TEXAS BAR JOURNAL* 6, 502, co-author; June 2021.

## Credentials

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### Education

- JD, Baylor University School of Law, 2017
- BA, English, Oklahoma State University, *cum laude*, 2014

### Admissions

- Texas
- United States District Courts for the Northern, Southern, Eastern and Western Districts of Texas
- United States District Court for the Eastern District of Missouri
- United States District Court for the District of North Dakota
- United States District Court for the District of Nebraska
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Federal Circuit