

SARA TONNIES HORTON, Partner

Sara Horton concentrates in complex civil litigation, focusing on patent and technology-related litigation. Ms. Horton has represented clients in complex disputes involving a variety of technologies including pharmaceuticals, polymers, plastic packaging, computer networks, display systems, alloys and baking technology. She also has experience before the International Trade Commission. Ms. Horton has tried more than 10 cases and has significant courtroom experience. In 2019, she was recognized by The Chicago Daily Law Bulletin as one of the 40 best lawyers under age 40 practicing in Illinois and was previously named a "Rising Star" in intellectual property by Illinois Super Lawyers magazine.

Ms. Horton serves the firm as a member of the Hiring Committee and Women's Forum. In connection with the Constitutional Rights Foundation's Lawyers in the Classroom program, she teaches constitutional law to students in Chicago Public Schools. She also co-teaches a class on Intellectual Property Licensing at Chicago-Kent College of Law. Ms. Horton graduated from the University of Notre Dame in 2002, where she earned a B.S. in chemistry and earned athletic-academic honors. While at Notre Dame, she worked in the Radiation Laboratory (supported by the US Department of Energy) as a research assistant.

Ms. Horton's practice focuses on intellectual property litigation. She has experience with patents, trademarks, and other complex civil litigation matters, including complex insurance disputes. Ms. Horton has worked in a variety of technologies, including pharmaceuticals, polymers, plastic packaging, computer networks, display systems, alloys and baking technology. She also has experience before the International Trade Commission.

Ms. Horton has significant trial experience:

- In 2006, she participated in the successful defense of a client against a \$40 million patent infringement and tortious interference suit in the District Court for the District of Delaware.
- In 2007, she participated in representing a pharmaceutical company in ANDA litigation in the Southern District of New York.
- In 2010, Ms. Horton was part of the jury trial team that successfully enforced patents related to ethylene polymer films and obtained a \$61.7 million victory for a major chemical company in the District of Delaware. The Federal Circuit affirmed this verdict on appeal.
- In 2012, Ms. Horton represented a pro bono client in defense of criminal charges in a two week jury trial. During that trial, she handled direct and cross examinations of many fact and expert witnesses.



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PRACTICE GROUPS

Antitrust and Competition Law
Information Technology Disputes
Intellectual Property
Litigation
Patent Litigation and Counseling
Technology and Sourcing

INDUSTRY GROUPS

Life Sciences

EDUCATION

DePaul University College of Law, J.D.,
2005; *cum laude*; Intellectual Property
Certificate ; *DePaul Law Review*

University of Notre Dame, B.S., Chemistry,
2002; Athletic Academic Honors

ADMISSIONS

Illinois, 2005

COURT ADMISSIONS

U.S. Patent and Trademark Office

U.S. Court of Appeals, Federal Circuit

U.S. District Court, Northern District of
Illinois

U.S. District Court, Northern District of Illinois
(Trial Bar)

U.S. District Court, Western District of
Wisconsin

U.S. Court of Appeals, Ninth Circuit

U.S. Court of International Trade

U.S. Court of Appeals, Seventh Circuit

Ms. Horton also has significant pre-trial litigation experience. She is often tasked with managing matters for clients, drafting briefs and motions, and participating in all aspects of fact and expert discovery. She has taken and defended numerous depositions, including depositions of expert and other technical witnesses and corporate designees. Ms. Horton has also drafted and prepared appeal briefs for clients and participated in preparation for oral arguments of those appeals.

Awards

- Chicago Daily Law Bulletin
"40 Under Forty" - 2019
- *Illinois Super Lawyers*
"Rising Star," Intellectual Property - 2009; 2011-2019
- Law Bulletin Publishing Company - Leading Lawyers Network
"Emerging Lawyer," Commercial Litigation; Intellectual Property Law - 2015-2019

Service To The Bar

- Illinois State Bar Association
Intellectual Property Law Association of Chicago
Member - 2009
- Richard Linn American Inn of Court
Member - 2011

Publications

- Co-Author, "SIPCO and Covered Business Methods—Courts Continue to Struggle with PTAB Regs," *Bloomberg Law*, November 15, 2019
- Supreme Court Upholds, and Changes, IPR Administrative Patent Challenges in Oil States and SAS, April 25, 2018
- Co-Author, "Patent Eligibility of 3D Printed Organs Will Soon Be an Issue," *Today's General Counsel*, June/July 2014
- "Patent Trial And Appeal Board Contested Proceedings—The First Six Months," *Bloomberg BNA's Patent, Trademark & Copyright Journal*, April 26, 2013
- "A Model Order Regarding E-Discovery in Patent (and Other?) Cases," *Pretrial Practice & Discovery*, American Bar Association's Section of Litigation, Winter 2012
- "More Uncertainty: What's the Difference Between a 'Claim' and a 'Theory'?" *AIPLA Antitrust Committee Newsletter*, October 2010
- "H₂ Production in the Radiolysis of Aqueous SiO₂ Suspensions and Slurries," *Journal of Physical Chemistry B*, Vol. 107, 2003

Speaking Engagements

- Panelist, “Stopping at the PTAB — The Estoppel Effect of PTAB Decisions,” The Power of PTAB: The New Authority in Patent Law, October 20, 2017
- PTAB Bar Association Inaugural Conference, March 01, 2017 to March 03, 2017
- “The Strategy of District Court Litigation vs. IPR in View of Recent Appellate Decisions,” IP Strategy Summit, October 13, 2015
- “The Biggest Patent Cases of 2015-2016: Looking Back, Looking Ahead,” Jenner & Block, September 17, 2015
- University of Chicago Law School Intellectual Property Law Society, February 11, 2015
- Second Paragraph IV Litigation Strategy Congress, Momentum, October 29, 2014 to October 30, 2014
- “The Biggest Patent Cases Of 2014-2015: Looking Back, Looking Ahead,” Jenner & Block, September 10, 2014
- Just the Beginning Foundation Summer Legal Institute, August 05, 2014
- “Practical Tips to Prepare You to Succeed in the Legal Profession,” DePaul University College of Law Center for Intellectual Property Law & Information Technology and The Richard Linn American Inn of Court, Chicago, IL, November 17, 2011