

United States District Court Litigation Experience as Lead Counsel (*numerous small or uncontested cases omitted for brevity*)

Illinois Tool Works, Inc. v. BAGCO, Inc. et al. (Northern District of Georgia, civil action no. 1:00-CV-0108-RLV) – Obtained a favorable settlement for the trademark defendant after discovery.

Leatherman Tool Group, Inc. v. Bear MGC Cutlery Company, Inc. (District of Oregon - Portland, civil action no. CV 98-889 KI) -- Obtained a favorable dismissal for defendant patent owner of declaratory judgment suit upon motion.

Caliber Automotive Liquidators, Inc. v. Premier Chrysler, Jeep, Dodge, LLC et al (Northern District of Georgia, civil action 1:07:cv-0556) -- Obtained a favorable consent judgment for the trademark owner after overturning an adverse summary judgment in an appeal to the Eleventh Circuit Court of Appeals.

CIBA VISION Corporation v. Joseph De Spirito and Hoosier Eye Doctor, Inc. (Northern District of Georgia, civil action 1:09-cv-01343-JOF) – Obtained a favorable settlement for the trademark owner after discovery and enforced the settlement by motion.

EBSCO Industries, Inc. v. Bass Pro, Inc. et al. (Northern District of Alabama, civil action no. 2:11-cv-00760-AKK) – Obtained a favorable settlement for the patent owner.

EBSCO Industries, Inc. v. Hunting Products Research, Inc. et al. (Northern District of Alabama, civil action no. 5:07-cv-01778-IPJ) -- Bankruptcy of defendant Loggy Bayou halted suit.

Garcia Group, Inc. v. Syndicate Sales, Inc. (Northern District of Georgia, civil action nos. 1:09-CV-0820-JEC and 1:10-CV-01567 JEC) -- Obtained favorable settlement for plaintiff of related patent and copyright infringement suits after discovery and summary judgment motion.

The Homebingo Network, Inc. v. Multimedia Games, Inc. et al. (Northern District of Georgia, civil action no. 05-CV-0608 TJM/RFT) – Obtained a favorable settlement after discovery (a court case and an arbitration case)

Seller Agency Council, Inc. v. Kennedy Center for Real Estate, et al. (Central District of California, civil action no. SAcv06-679 AHS) – Obtained a favorable judgment including an injunction and monetary award after trial, successful appeal to the Ninth Circuit Court of Appeals, and a remand to the district court.

W.C. Bradley Co. v. Maytag Corporation (Northern District of Georgia, civil action no. 4:03-CV-42-3 (CDL) – Obtained a favorable settlement for trademark owner Maytag Corp. in this declaratory judgment action.

Mun Hwa Broadcasting Corp. v. Mi Sook Kim, et al. (Middle District of Georgia, civil action no. 5:07-cv-00008) –Obtained a default judgment for Korean broadcaster Mun Hwa Broadcasting in this copyright suit, then successfully defended the default judgment over defendants' motion to set aside the judgment.

M.K. Distributors, Inc. v. ETS Express, Inc. (Northern District of Georgia, civil action no. 1:10-cv-3369-TCB) – Obtained a favorable judgment for the patent owner by motion.

No Witness, LLC and Stephen Barnes v. Cumulus Media Partners, et al. (Northern District of Georgia, civil action no. 1:06-CV-1733 JEC) – Obtained favorable settlements for the plaintiff copyright owner.

Simpson Ventures, Inc. v. Mid-West Metal Products, Company, Inc. (Middle District of Alabama, civil action no. 3:06-cv-901 WKW) – Obtained favorable settlement for the patent owner after discovery and summary judgment motion.

United States Appellate Court Experience as Lead Counsel

Caliber Automotive Liquidators, Inc. v. Premier Chrysler, Jeep, et al. (Court of Appeals for the Eleventh Circuit, Appeal No. 08-16179) -- Successfully appealed an adverse summary judgment against the trademark owner (district court ruling reversed and vacated, case remanded to district court for further proceedings).

Seller Agency Council, Inc. v. Kennedy Center for Real Estate, et al. (Court of Appeals for the Ninth Circuit, Appeal No. 08-56791) – Obtained judgment of infringement and an injunction after a trial; Successfully appealed an adverse ruling re damages for the trademark owner (district court ruling reversed and vacated, case remanded to district court for further proceedings).

Notable Results in Patent Licensing/Assignment of Patents Drafted by Mr. Gardner

1. Negotiated, drafted and completed a multi-million dollar license in a small patent portfolio drafted and obtained for a client. Subsequently, negotiated, drafted and completed another substantial license of the patent portfolio for the client. Ultimately, negotiated, drafted and completed a multi-million dollar assignment of the remainder of the patent rights in the patent portfolio.
2. Obtained a multi-million dollar assignment of a patent drafted and obtained for another client.