



David G. Henry

Partner
Patent Litigation

Dallas

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Focus Areas

Commercial Litigation
Patent Litigation
Supreme Court & Appellate Practice
Trade Secret Litigation
Trademark & Copyright Litigation

Highlights

Flight v. Fight

As a privately-licensed pilot, David's passion for aviation evolved into a competitive advantage to allow seamless nationwide client service from a city (Waco) with otherwise limited airline service.

Patent Litigation Pro(fessor)

David teaches patent and IP-related litigation courses at his alma mater, Baylor Law School, sponsoring several student organizations, including one fraternity and one sorority, and serving as the co-director for the United States Patent & Trademark Office's IP Clinic Program at Baylor.

Growth Mindset In New Markets

As MWM continues to thrive and expand its presence coast-to-coast, David plays an integral role in the firm's commitment to strategically expand in new markets.

Experience

David G. Henry is a partner practicing in the firm's technology/intellectual property law group and guides expansion efforts in Waco. He is routinely recognized for his extensive experience assisting clients in identifying, strategically managing, and protecting domestic and foreign intellectual property assets, prosecuting or defending patent infringement and trademark infringement claims in federal courts throughout the U.S., and in identifying and managing Export Control issues. David has litigated patent

cases involving a wide range of technologies including medical devices, pharmaceuticals, computer hardware and software, telecommunication devices, and networks.

David utilizes his private pilot license to travel on cases and projects throughout the U.S. as various clients need. For over two decades, David has served in a number of capacities with Baylor University, including (since 1994) that of Professor of Patent and Trademark Law and Litigation, Faculty Advisor to several undergraduate student organizations, and a member of Baylor's Judicial Board. His ability to pilot himself to and from a non-hub city allows him to reside in the Waco area and now spearhead the firm's growth into a rapidly-demanding market. Since the arrival of Judge Albright to the Federal Bench, and the emergence of the Waco court as the largest patent litigation docket in the U.S., David has had the unique advantage of actively participating in the transition Waco has made from a nice place to live to also the center of significant legal activities.

At any given time, David is involved in a number of federal court patent infringement or trademark infringement actions throughout the U.S. as well as select activities at the United States Patent & Trademark Office. His experience and circumstances are such that he is particularly well-suited for assisting clients in intensive, fast-paced patent litigation arenas, such as the Eastern and Western Districts of Texas. Alongside his longstanding legal career, he has served as a patent law professor at Baylor Law School since 1994 and now teaches in the Entrepreneurship Program of Baylor's Hankamer School of Business.

While David's primary focus is on patent litigation, he routinely handles other complex intellectual property and transactional matters. These include trademark infringement, copyright infringement, trade secret misappropriation, unfair competition, and antitrust cases. He also advises clients in corporate transactions and in the negotiation of intellectual property licensing and other technology-related agreements. David is a certified Mediator and utilizes his experience in litigation to assist in the ADR resolution of IP and other complex commercial disputes.

Credentials

Education

Baylor University School of Law

Waco, Texas
Juris Doctorate

Baylor University

Waco, Texas
Alpha Epsilon Delta, Gamma Beta Phi
BA, Biology

Associations and Memberships

Supreme Court of the State of Texas
State Bar of Texas

Federal Bar Association
Dallas Bar Association
Lawyer-Pilots Bar Association

Honors and Awards

Best Lawyers in America, Woodward White, Inc.
2020 - 2023
Texas Super Lawyers, Thomson Reuters
2018

Admissions

United States Patent & Trademark Office
United States Supreme Court
U.S. Courts of Appeals for the Federal Circuit
U.S. Courts of Appeals for the Fifth Circuit
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Southern District of Texas
U.S. District Court for the Western District of Texas
U.S. District for the Northern District of Texas
U.S. District Court for the District of Rhode Island
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of Colorado
U.S. District Court for the Southern District of California
U.S. District Court for the Eastern District of Missouri
U.S. District Court for the Southern District of Illinois
U.S. District Court for the Eastern District of Wisconsin
U.S. District Court for the District of Idaho
Chancery Court of Delaware
Canadian Patent Office
Certified Mediator

Knowledge

Quoted in "Search for new patent hub begins after court ends Waco's hold on U.S. cases." Brittain, B., Reuters (2022).

Quoted in "Judge's order aims to end patent case boom in Waco's federal court." Kyle, M., WacoTribe.Com (2022)

Quoted in "*Court order could diminish Waco judge's hold on patent cases.* Witherspoon, T. Kwtx.Com (2022).

Henry, D. & Lisch, D. (2019). The Newest Patent 'Rocket-Docket': Waco, Texas. IPWatchdog.Com | Patents & Patent Law.

Henry, D. G. (2021, January 20). Western District of Texas Gets an Upgrade: A Look at the New Waco Courtroom. IPWatchdog.Com | Patents & Patent Law.

Henry, D. G. What Inventors Must Do (And Must Not Do) To Fully Protect Their Inventions. PilotAtLaw.Com.

Henry, D. G. Trademarks and Service Marks: What Every Business Person Facing Competition Must Know. PilotAtLaw.Com.

Preparing Your Device Portfolio for Litigation: Limiting Liability and Managing and Reducing Costs
Medical Device Patents Conference-American Conference Institute, 2012

The Impact of Recent Patent Law Cases and Developments
Aspatore Press, 2012

Getting IP Right: How to Avoid the Landmines that Trademarks, Copyrights, and Patents Can Create
Smart Business, 2012

The Basics of Patents, Trademarks, and Copyrights for Non-IP Attorneys
State Bar of Texas-Essentials of Business Law, 2011

The 'Should We?,' 'When Do We?,' and 'When We Do, What Then?' of Markman Hearings in Patent Litigation
Medical Device Patent Litigation, 2010

The Myths and Traps of Intellectual Property
State Bar of Texas Convention, 2006

Defensive Thinking in the Intellectual Property Realm
Texas Association of Defense Counsel Convention, 2000

New Frontiers in Marital Property Law
The University of Texas School of Law Marital Property Institute, 1999