



## Paul L. Smelcer

### SENIOR ASSOCIATE

THE LINK VIRTUAL

OFFICE

PHONE: 314.480.1540

EMAIL: PAUL.SMELCER@HUSCHBLACKWELL.COM

ST. LOUIS, MO\*

PHONE:

314.480.1500

### OVERVIEW

For Paul, intellectual property law is an exciting practice at the intersection of innovation, technology and legal strategy.

After earning an undergraduate degree in biology, Paul worked as a research technician for an innovative agriculture company, a position that provided a foundation for understanding the importance of intellectual property protections. His work involved optimizing automation and workflow for isolating and sequencing plant DNA, and he developed an appreciation for maintaining processes as trade secrets.

Paul enjoys working with inventors and scientists, and he is passionate about maximizing legal protections for their work. He excels at the creative thinking necessary to formulate solutions in intellectual property cases. Paul's goal is never to return to a client with a "no," but to always offer effective alternatives when pursuing litigation strategies and intellectual property protection.

### Industries

Manufacturing  
Technology  
Transportation

### Services

Intellectual Property  
Intellectual Property Litigation  
Section 337  
Trade Secrets & Business  
Information Protection

## Experience

- Represented online retailer defending against trademark infringement and false advertising claims.
- Represented performance nutrition company defending against patent infringement claims in an International Trade Commission investigation.
- Served as a member of team providing representation of consumer electronics company defending against patent infringement claims, and obtained favorable resolution of claims through early dismissal of the case prior to commencement of discovery.
- Served as member of team providing representation of an internet service provider defending against copyright infringement claims.
- Served as member of team providing representation of healthcare software company pursuing patent infringement claims against competitor.
- Represented healthcare software company pursuing federal antitrust claims against competitor.
- Represented leading supplier of lithium-ion battery powered products and portable power solutions defending patent infringement claim in district court. Obtained early dismissal after presenting our client's invalidity positions.
- Represented multiple suppliers and retailer of lithium-ion battery-powered products and portable power solutions defending patent infringement claims in a case before the United States International Trade Commission. Obtained early termination (dismissal) of our clients after presenting our clients' positions regarding invalidity, unclean hands, and non-infringement.
- Representing group of companies defending patent infringement claims relating to safety circuitry, USB technology, and battery management systems for lithium-ion battery packs in portable power supplies. Case ongoing before the United States International Trade Commission.

## Experience

- Achieved major victory at the U.S. International Trade Commission, with the panel affirming a decision of the presiding administrative law judge (ALJ), which found that client ADC Solutions Auto, LLC (d/b/a Type S) did not violate Section 337 of the Tariff Act in relation to imported portable battery jump starters.

## Recognition

- *Best Lawyers: Ones to Watch® in America*
  - Intellectual Property Law, 2022-2025
  - Litigation - Intellectual Property, 2022-2025
- *Missouri & Kansas Super Lawyers*
  - Rising Star, Intellectual Property, 2020-2023
- Missouri Bar Pro Bono Wall of Fame, 2020

## Education

- J.D., Washington University in St. Louis School of Law
  - *cum laude*
- B.S., Saint Louis University
  - *magna cum laude*

## Admissions

- Missouri
- U.S. Patent and Trademark Office
- U.S. District Court, Eastern District of Missouri

\*Contact Paul to set up an in-person consultation by appointment in the St. Louis office.



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