



## New form response

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Form: [ADR Listing Application Form FINAL](#)

A new response was submitted on 11 March 2021, 12:23 PM.

### *Application for AIPLA List of Arbitrators and Mediators*

1. This application is for:	Arbitrator, Mediator
2. Applicant is to be listed for:	Patent Disputes, Trade Secret Disputes, Trademark/Trade Dress Disputes, Copyright Disputes

#### 3A. Name and Contact Information

a. First Name:	Lee
b. Middle Initial/Name:	L
c. Last Name:	Kaplan
d. Firm or Company Name:	Smyser Kaplan & Veselka, LLP
e. Street Address:	10 West Ln
f. City:	Houston

g. State:	TX-Texas
h. Zip:	77019
i. Telephone:	7132992282
j. E-mail:	<a href="mailto:lkaplan@skv.com">lkaplan@skv.com</a>
k. In what locales are you willing to serve?	Unrestricted

**3B. Brief summary of your ARBITRATION/MEDIATION PRACTICE**

The information you provide in the text box below is extremely important because it, along with your name and location, will be the first substantive information about you that any person searching the LIST will see.

**In the text box below (1) edit the first sentence so that its contents correspond to your answers to questions 1. and 2., above. This sentence is a required sentence which must be properly edited and retained as the first sentence of your summary of your practice. Then (2) add up to 700 characters of information about your arbitration and/or mediation practice.**

The resultant total information in the text box will appear in your entry in the LIST.

-	Representative ADR work in IP and technology cases. After co-founding our litigation boutique, I began receiving calls to mediate and/or arbitrate various matters, including IP and technical matters. I served as a panel member in a dispute over misappropriation of computer “middleware.” • I served as a panel member in a dispute over delays in construction of an electricity generation plant that required extensive technical education to reach a decision. • I chaired a panel in a dispute over covenants not to compete. • I have been on at least a dozen arbitration panels. • I have mediated multiple trade secret and other IP cases over the past 15+ years.
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**4. Higher education**

(all degrees received, stating degree, and school):	Princeton University, A.B. from the Woodrow Wilson School of Public and International Affairs, 1973. Woodrow Wilson Scholar. University of Texas Law School, J.D. with honors, 1976.
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**5. Bar admissions (all states, agencies, etc.):**

a. States:	TX-Texas
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b. Admitted to Court of Appeals for the Federal Circuit:	Yes
c. Admitted to U.S. Patent and Trademark Office:	No
d. Others:	Admitted to the U.S. Court of Federal Claims where I am pursuing a suit against the U.S. Postal Service for its use of my client's U.S. Patent No. 6,826,548. Admitted to all U.S. District Courts in Texas

**6. Formal mediation/arbitration training:**

a. Course(s); Institutions; Dates:	only multiple CLE's on ADR.
b. Total Number of Hours:	40
c. Approx. number of interactive, clinical hours:	
d. Any Certificate Awarded?	No

**7. Listed with formal mediator/arbitrator provider (AAA, ICDR, CPR, JAMS, others)?**

Provider(s)/and Subject Matter of Panels, if appropriate.	ICDR LCIA CPR
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**8. Arbitration and/or Mediation Experience:**

a. Have you participated as arbitrator, or party attorney or representative, in at least one arbitration from beginning,	
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through a complete trial, and arbitration decision/award?

b. Have you participated as mediator, or party attorney or representative, in at least one complete mediation?

Yes

**Patent Law and Litigation Experience (does not have to be exclusive):**

c. Approximate Number of Years practicing patent law:

Not admitted to the patent bar. My experience is solely litigation, which necessarily involves evaluating patents.

d. Approximate Number of Years practicing patent litigation:

Over 30 years. My first exposure to patent litigation occurred in the late 1980's. Since then I have always had at least one patent case on my docket at all times (and usually several such cases).

e. What specific areas of technical knowledge and experience do you have and wish to identify? [Separate by semicolons (:)] [Limit of 450 characters]

Virtually all aspects of the energy industry, e.g.; elastomers; drag reducing agents; antifoulants; motor oil additives; refinery processes; horizontal drilling; drillbits.

**Trade Secret Law and Litigation Experience (does not have to be exclusive):**

f. Approximate Number of Years practicing trade secret law:

35+

g. Approximate Number of Years practicing

35+

trade secret  
litigation:

**Trademark/Trade Dress Law and Litigation Experience:**

h. Approximate  
Number of  
Years practicing  
trademark/trade  
dress law:

35+

i. Approximate  
Number of  
Years practicing  
trademark/trade  
dress litigation:

35+

j. Have you  
handled cases  
involving survey  
evidence?

Yes

**Copyright Law and Litigation Experience:**

k. Approximate  
Number of  
Years practicing  
copyright law:

15+

l. Approximate  
Number of  
Years practicing  
copyright  
litigation:

15+

**9. Other Memberships, Recognitions and Experiences**

a. Major  
Professional  
Recognitions:  
[If, necessary,  
refer to your  
resume]

Board Certified in Civil Trial Law, Texas Board of Legal Specialization. American Law Institute. American Board of Trial Advocates. Institute for Transnational Arbitration of the Center for American and International Law. London Court of International Arbitration Users' Councils. Listed in Chambers USA, Leading Lawyers for Business, Commercial Litigation, each year beginning in 2007. Named as one of Texas' SuperLawyers by Texas Monthly each year beginning in 2003. Texas Aerospace Commission, 1994-99 (gubernatorial appointment). State Bar of Texas Committee on Professionalism, 2005-07, 2009-2011. State Bar of Texas Committee on Pattern Jury Charges Vol. 3, 1983-92; 1994-98. Houston Bar Association, State Bar of Texas, American Bar Association, Houston Intellectual Property Law Association, American Intellectual Property Law Association, Texas Bar Foundation.

b. Professional and other Associations and Leadership Positions: [If, necessary, refer to your resume]	See 9.a. above
c. Other relevant experience: (for example, judicial experience presiding over/settling patent and/or trade secret cases, teaching ADR and/or IP courses, etc.):	Presentations and speeches at CLE's on IP and/or Patent litigation or General Litigation: 4 Ways To Intimidate Your Trial Opponent" Law 360, July 2, 2015 "Drafting Common Sense Patents for Judges and Juries" IP Litigator, March-April 2006 (co-authored with Michelle Greer Galloway and David L. Hitchcock) Speeches and Panels: "Effectively Representing Clients in Federal Court" Speech to Southern District Federal Bar Association, 1/26/2021 "Virtual Trials in the Era of COVID-19 and Beyond" Panel Moderator, 1/21/2021 "War Stories" Speech to Houston Intellectual Property Law Association, 12/10/2020 "Voir Dire in Bits and Bytes" August 2010 Presentation and panel discussion, American Bar Association Tort and Insurance Practice Section "Expert Witnesses and Damages" 33rd Annual Page Keeton Civil Litigation Course, 2009 (co-presented with Carmen Eggleston) "Intellectual Property for Civil Litigators" State Bar of Texas Advanced Civil Trial Course, 2006 (co-presented with John Patton)

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10. A CURRENT RESUME OR CURRICULUM VITAE MUST BE UPLOADED BELOW. PLEASE CONFIRM THE ACCURACY THEREOF BY STATING "YES" BELOW:	Yes (Required)
Upload your resume now	<a href="#">Resume2021.doc</a>

**11. PERSONAL CERTIFICATION:**

*I hereby represent that the foregoing information about me is true and correct as of this date, and that I meet the current AIPLA criteria, as stated on the AIPLA website, for serving as a Mediator and/or Arbitrator of the types of disputes designated in Question 2 above. I hereby represent that I am a current member in good standing of the bar(s) (active or inactive) of the courts and agencies listed in question 5, and that there is no disciplinary activity pending against me in any court, agency, or bar association.*

*I acknowledge that if I am accepted for listing as an AIPLA arbitrator or mediator, the AIPLA has my permission to publish this application and all attachments thereto on the AIPLA website, for the benefit of*

*those wishing to consult the list and the qualifications of those persons listed. I further understand and agree, if I am listed on the AIPLA List of Arbitrators and Mediators, that, for all arbitration and mediation matters wherein I am retained as a result of such listing, I will promptly inform the parties and counsel in writing that I am an independent contractor and that the AIPLA has no responsibility or liability for any of my acts or omissions.*

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**Electronic Signature:**

- [REDACTED] /s/ Lee L. Kaplan

**Date:**

- [REDACTED] March 11, 2021

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**SUBMISSION AND PAYMENT INSTRUCTIONS:**

**1. REVIEW YOUR APPLICATION NOW.**

*You MUST review your Application above for correctness and completeness BEFORE SUBMISSION thereof!!!!*

**2. ACKNOWLEDGEMENT RECEIPT WITH PAYMENT INSTRUCTIONS:**

*Upon submission of your Application, you will receive a return acknowledgement e-mail from AIPLA, which e-mail will provide you with instructions for making your application fee payment. Fee payments will be accepted only via electronic submission; no check payments will be accepted by AIPLA. Your Application to be Listed will NOT be processed until your payment is received.*

**3. ELECTRONIC SUBMISSION:**

*Submission of this Application may be made only via electronic submission. No paper filings will be accepted by AIPLA. When you are satisfied with the accuracy and completeness of your Application, click on the Submit button below.*

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