



## **Jonathon K. Hance**

Partner

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### **About Jonathon**

Jonathon Hance is a litigator, intellectual property lawyer, and transactional lawyer who is just as at home in the court room as he is in the board room. Several clients rely on Jonathon as their outside general counsel, seeking his guidance on a full array of legal needs ranging from corporate governance, business transaction structuring, intellectual property procurement and management, dispute resolution, and data privacy. He also advises healthcare institutions regarding corporate governance issues and patient data privacy and protection under the Health Insurance Portability and Accountability Act (HIPAA).

As a litigator, Jonathon represents both plaintiffs and defendants in complex commercial disputes of all types, including those involving intellectual property, breaches of contract, tort claims, breaches of fiduciary duty, medical malpractice, and director and officer liability.

As an intellectual property lawyer, Jonathon helps startups and well-established businesses alike protect and monetize their innovations and brands across a variety of sectors, including the energy, real estate, healthcare, technology, and fintech industries.

### **Recent Notable Matters**

***MB Minerals L.P.*** — \$143.1 million sale of Midland Basin mineral and royalty interests to Kimbell Royalty Partners, LP

***Drilling Tools International*** — business combination with ROC Energy Acquisition Corp., a special purpose acquisition company, that resulted in DTI becoming a US publicly listed company

***Sable Offshore Corp.*** — purchase from Exxon Mobil Corporation of the Santa Ynez field in Federal waters offshore California and associated onshore processing and pipeline assets, including pipeline assets acquired by Exxon Mobil from Plains Pipeline L.P. and the merger with Flame Acquisition Corp., a special purpose acquisition entity

***Hines Interests Limited Partnership*** — outside general intellectual property counsel; trademark clearance, prosecution, enforcement, and licensing for various domestic and international brand portfolios

**The Menniger Clinic** — IP licensing, trademark clearance, prosecution and enforcement, data security protection and compliance, HIPPA compliance and general contracting

**AEP Texas, Inc.** — patent infringement, Southern District of Texas, radio network systems

**Syntrix Biosystems, Inc.** — patent infringement, Western District of Washington, final judgment of \$115 million

**Apache Corporation** — challenge to enforceability of arbitration award, Fifth Circuit Court of Appeals and Southern District of Texas

**Apache Corporation** — breach of contract regarding performance of consulting firm's duties to Apache, ICC arbitration

**Apache Corporation** — oil and gas properties title dispute, Texas State Court (Brazos County)

**Trinity River Resources, LP** — breach of contract arising out of alleged underpayment of overriding royalty interests and working interests, Bankruptcy Court for the Western District of Texas

**Western U.S. utility** — arbitration dispute with Native American tribe over sale of 290 MW dam

**Direct Energy, LP** — litigation against wind farm facilities in West Texas over production tax credit payments, Texas State Court (Harris County)

**SH 130 Concession Company, LLC** — breach of design and construction contract, ICC arbitration with ancillary matters in Texas District Court (Harris County)

**United Technologies Corporation, et al.** — patent infringement, alarm systems, District of Puerto Rico

**ASARCO, LLC** — litigation over fees arising out of bankruptcy representation; Supreme Court of the United States held in ASARCO's favor that firms are not entitled to receive fees for preparing fee applications

**ASARCO, LLC** — enforcement and collection of \$132.75 million judgment, Southern District of Texas

**Border to Border Exploration, LLC** — breach of contract over authorization to pool leased oil and gas units in Polk County, Texas, Texas State Court (Harris County)

**Claude Jones Company, LLC** — fraud, slander of title, breach of fiduciary duty, and tortious interference, Texas State Court (Harris County), achieved favorable settlement during jury deliberations

**BFW Liquidating, LLC** — recovery of preferential transfers and fraudulent transfers, breach of fiduciary duty, Bankruptcy Court for the Northern District of Texas

**The Taste of Texas** — trademark infringement, District of Arizona; trademark clearance, prosecution, and enforcement

**CWR Gonzales Holdings, LLC** — dispute regarding access to a salt water disposal facility, Texas District Court (Gonzales County)

**Halo Land Management LLC** — trademark clearance, prosecution, and licensing

## Publications and Speeches

"Damages & Indemnities: Who is Responsible and for What?" ACC Houston January Chapter Meeting CLE The Woodlands Location, January 31, 2024

"An Evil Bear May Provide High Court TM Ruling Clarification," *Law360*, July 7, 2023.

"Warhol Decision May Lead to Copyright Licensing Spike," *Law360*, May 22, 2023.

"Indemnities And Damages - A Bit Of Planning Can Go A Long Way," Licensing Executives Society, August 24, 2021

"Trade Secrets FAQ: Identifying, Safeguarding, (Safely) Sharing, And Enforcing Trade Secret Rights," Association of Corporate Counsel, May 27, 2021

"IP & Licensing Basics: Monetizing Intellectual Property," Licensing Executives Society, Oct. 6, 2020.

"Differentiating Between Direct And Consequential Damages," Virtual Client CLE, August 4, 2020

"A Consequential Matter: Differentiating Between Direct And Consequential Damages," Virtual Client CLE, July 14, 2020

"Strategic Licensing for Business Development," Licensing Executives Society, April 23-24, 2020.

"CONFIDENTIALITY: Navigating Tough Clauses To Protect Your Valuable Information," Association of Corporate Counsel, Institute for Energy Law, October 9, 2019

"The Hype Behind The Industrial Internet Of Things," *The Licensing Journal*, February 2019.

IIOT: Enabling A Surge In Industrial Productivity, Licensing Executives Society, October 15, 2018.

"Employment Law & Big Data," Texas Medical Center, April 18, 2017.

"Real Estate IP FAQ," April 13, 2017.

"The Art of Negotiation and Dealing with Unexpected Surprises," *Licensing Executives Society Houston Chapter Meeting*, October 18, 2016.

"IP & Licensing Basics Course," *Licensing Executives Society*, University of Houston, September 11, 2015.

"Lame-Duck Patent Reform Goes Almost Entirely Unnoticed," *Law360*, December 2012.

"Federal Circuit Clears Pathway Through 'Recapture Rule' Minefield," *Thomson Reuters News & Insight*, June 2012.

## Education

Washington and Lee University School of Law, J.D.  
2008 – *magna cum laude*, *Order of the Coif*

Southern Methodist University, School of Engineering, B.A., Computer Science  
2005 – *summa cum laude*

Southern Methodist University, Meadows School of the Arts, B.A., Viola Performance  
2005 – *summa cum laude*

Southern Methodist University, Dedman College, B.A., Applied Mathematics  
2005 – *summa cum laude*

## Certifications

Certified Licensing Professional

## Noteworthy

*Chambers USA*, Texas Intellectual Property, 2023

*The Legal 500 United States*, Media, Technology and Telecoms: Outsourcing, 2023

Euromoney Institutional Investor PLC, *Benchmark Litigation*, 40 & Under Hot List, 2018 - 2023

Texas Bar Foundation, Fellow

U.S. Court of Appeals for the Fifth Circuit, Judicial Clerk

Washington and Lee University School of Law, *Washington and Lee Law Review*, Managing Editor

Washington and Lee University School of Law, *Phi Delta Phi*

## **Affiliations**

Bar Association of the Fifth Federal Circuit

State Bar of Texas

Houston Bar Association

Licensing Executives Society, U.S. and Canada, Houston Chapter Chair, 2013 - 2015; Software Committee  
2009 - 2011

Frame Dance Productions, Legal Counsel

## **Bar Admissions**

Texas