

Dana D. McDaniel

ATTORNEY, SENIOR COUNSEL

Dana McDaniel is an intellectual property and commercial litigator with extensive experience representing clients in matters involving intellectual property issues, including patent infringement, trademark infringement, false advertising, unfair competition, copyright infringement, trade secret misappropriation, licensing disputes and technology contract disputes. Dana has litigated commercial and intellectual property cases in state and federal courts in Virginia and numerous other states and has represented clients in opposition and cancellation proceedings before the U.S. Trademark Office.

Prior to attending law school, Dana worked in the computer industry with Burroughs Corporation (now Unisys) and Computer Sciences Corporation.

EDUCATION

- The College of William and Mary, Marshall-Wythe School of Law (J.D., *Order of the Coif*, 1985)
National Moot Court Team
- Virginia Polytechnic Institute and State University, Blacksburg, VA (B.S., 1977)

BAR ADMISSIONS

- Virginia
- U.S. District Court Eastern District of Virginia
- U.S. District Court Western District of Virginia
- U.S. Court of Appeals 4th Circuit
- U.S. Court of Appeals Federal Circuit

REPRESENTATIVE CASES

Dana has represented numerous clients in intellectual property litigation, including patent infringement, trademark infringement, and trade secret litigation in federal courts in the Eastern District of Virginia and other U.S. federal district courts. A sampling of these matters include:

- Co-counsel in representing a large non-profit university in successfully prosecuting a patent infringement claim against a publicly traded corporation.
- Co-counsel in successfully representing an office equipment manufacturer in a patent infringement claim against a competitor.
- Lead counsel in defending a mobile phone manufacturer in multiple patent infringement cases.
- Co-counsel in defending a retail flooring manufacturer and retailer against trademark infringement claims brought by a large competitor.
- Co-counsel in defending a chair manufacturer against claims of trademark infringement and cancellation of the client's trademark registration.
- Lead counsel in successfully defending red-light camera system manufacturer against a claim of patent infringement by a competitor.
- Lead counsel in defending a jewelry product manufacturer against a claim of patent infringement.
- Co-counsel in representing an individual against claims of trade secret misappropriation.

HONORS AND AWARDS

- *Best Lawyers in America*, Lawyer of the Year, Richmond, Virginia
 - Litigation - Intellectual Property (2023)
 - Litigation: Patent (2013, 2015, 2017)
 - Litigation: Intellectual Property (2012, 2014, 2016, 2023, 2025)
 - Intellectual Property (2011)
- *Best Lawyers in America* 2008-2026 Intellectual Property Litigation and Patent Litigation, Richmond, Virginia
- *Virginia Lawyers Weekly* Virginia's Go-To Lawyers for Intellectual Property, 2022
- *Virginia Business* magazine's Legal Elite for Intellectual Property, 2013-2025
- *Virginia Super Lawyers*, Intellectual Property Litigation, 2006-2025
- *Chambers USA* 2025 Intellectual Property, Southern Virginia, Senior Statespeople
- *Virginia Business* magazine's Top Technology and Intellectual Property Attorney, 2000
- Rated AV Preeminent by Martindale-Hubbell

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS



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AREAS OF PRACTICE

- Intellectual Property and Information Technology
- Litigation
- Local Counsel - Virginia

RECENT BLOG POSTS

- Supreme Court Decision May Significantly Delay the Filing of Copyright Infringement Suits
- Digital Millennium Copyright Act Alert
- Defend Trade Secrets Act Signed Into Law

- Virginia Bar Association
 - Chair, Intellectual Property and Information Technology Law Section, 2011-2012
- American Bar Association, Intellectual Property Law Section
 - Co-Chair Annual Meeting Committee, 1999
 - Chair and Co-Chair of the Young Lawyers Section, 1996-98
- Virginia State Bar
 - Chair, Standing Committee on Professionalism, 2006-2008
 - Chair, Computer Study and Implementation Committee, 2000-2006
- The Greater Richmond Intellectual Property Law Association, 1994 - Present, Founding Director and Member

CLASSES/SEMINARS TAUGHT

- Panel Discussion on Pretrial Resolution of IP Disputes, Virginia State Bar 24th Annual Intellectual Property Fall CLE Seminar, September 21-22, 2012
- ADR Essentials for Business Attorneys, Virginia CLE, 41st Annual Advanced Business Law Seminar, Charlottesville, Virginia, March 25, 2011
- Remedies: The Changing Landscape at the Intersection of Civil and Intellectual Property Litigation, Virginia Bar Association, July 23, 2010
- 27th Annual Business Law Seminar, Managing and Resolving Conflicts, Virginia CLE, September 23, 2009
- What to do When You Get the Letter: Patents and Copyrights, VBA Winter Meeting, January 23, 2009
- Mediating The Business Litigation Case: Advanced Issues, VBA Advanced Business Litigation Institute, April 11, 2008
- What To Do When You Get The Letter: A Panel Discussion of How To Respond To Cease and Desist Letters in Trademark and Trade Secret Cases, VBA Winter Meeting, January 18, 2008

PUBLICATIONS

- Supreme Court Decision May Significantly Delay the Filing of Copyright Infringement Suits
- Digital Millennium Copyright Act Alert
- Defend Trade Secrets Act Signed Into Law