



David P. Fitzgibbon

Partner

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David Fitzgibbon concentrates his practice on intellectual property matters, with a focus on patent litigation. With a particular emphasis on drafting and procuring patents, David excels in counseling clients on the nuanced scope and significance of their intellectual property rights. His skills further extend to negotiating technology-related agreements on behalf of clients, merging his comprehensive understanding of both law and business.

David has also had significant involvement in providing intellectual property advice to startup companies. He has been instrumental in guiding clients through the complexities of patenting and commercializing inventions owned by startups and not-for-profit institutions. His adept analyses of patent issues further underscore his commitment to delivering strategic and informed legal counsel to all clients.

While his early career focused on intellectual property procurement, particularly in chemical and mechanical arts, David has seamlessly transitioned to key roles in patent-litigation-related matters.

Featured Representative Matters

- Represented Fountain Life, an advanced diagnostics and preventative health company, in its acquisition of LifeOmic.
- Represented Pronto Repairs Inc. in an acquisition by Tech24, a portfolio company of HCI Equity Partners.
- Successfully litigated cases involving trademark infringement for an emerging hotel brand.
- Prepared freedom-to-operate opinions including analysis of utility patent, design patent, and trade dress rights along with invalidity opinions, and advised clients as to opportunities in various industries.
- Drafted and negotiated contracts, including intellectual property protective agreements, patent and trademark licenses and assignments, software licenses, data sharing agreements, nondisclosure agreements, trademark coexistence agreements, corporate partnering agreements, consulting agreements, joint development agreements, and settlement agreements in various industries.
- Provided trademark clearance opinions and counseling on strategies for brand development in the food service industry.

Services

- Intellectual Property
- Corporate

Education

- Temple University Beasley School of Law (J.D.)
- University of Notre Dame (B.S.)

Admissions

- Pennsylvania
- New Jersey
- U.S. Patent and Trademark Office
- U.S. Bankruptcy Court for the Eastern District of Pennsylvania
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the District of New Jersey

- Successfully identified patents, prior to issuance, that an applicant intended to assert against the largest mushroom producers in the United States and crafted the industry-wide defense strategy.
- Drafted patent applications related to various industrial chemical processes for startup clients.

Experience

Stradley Ronon Advises Covetrus in Connection with Definitive Agreement for Chewy's Acquisition of SmartEquine Business

Stradley Ronon represented Covetrus, a Portland, Maine-based global animal-health technology and services company, with respect to its agreement for Chewy Inc. to acquire its subsidiary SmartPak Equine LLC (SmartEquine). The transaction, announced October 30, is expected to close by year-end subject to customary closing conditions.

SmartEquine is a leading U.S. direct-to-consumer provider of equine nutraceutical supplements. The deal will allow for Covetrus to focus on its core business of delivering technology-enabled solutions that help streamline and strengthen veterinary practices.

Stradley Ronon Represents Cook Wealth in Merger with Cerity Partners

Stradley Ronon represented Cook Wealth, a Raleigh-based wealth management firm, in a merger with Cerity Partners, a financial and wealth advisory firm serving high-net-worth individuals and their families and nonprofit organizations and foundations throughout the United States.

The merger expands Cerity Partners' integrated wealth advisory services, including financial planning, investment management, and tax planning and preparation, into North Carolina.

For more information, visit Cerity Partners' website.

Stradley Ronon Serves as Oversight Manager for Patent Capital Funding 2025-A

Stradley Ronon has been appointed oversight manager for the Patent Capital Funding 2025-A transaction. Patent Capital Funding (PCF) is a novel patent litigation finance platform, managed by Tenadio Corp. and Waterford Capital Inc., which marries elements of structured finance and more traditional litigation funding. PCF 2025-A involves \$60 million in financing for a portfolio for six patent infringement cases involving claims across a wide variety of technologies. As oversight manager, the Stradley Ronon team performs independent due diligence and provides ongoing case monitoring and transaction management services for the PCF program. Stradley Ronon has partnered with PCF since its inception and has served as oversight manager on all transactions completed to date.

Learn more.

Stradley Ronon Represents XPYRIA in Merger with Cerity Partners

Stradley Ronon represented XPYRIA Investment Advisors, a Pittsburgh-based independent investment adviser, in a merger with Cerity Partners, a financial and wealth advisory firm serving high-net-worth individuals and their families and nonprofit

organizations and foundations throughout the United States. The transaction will allow the firms to better serve their Pittsburgh-based clients with a full spectrum of wealth management and financial planning services.

Stradley Ronon Advises Wealth Legacy Institute in Merger with Cerity Partners

Stradley Ronon represented Denver-based Wealth Legacy Institute, a financial planning and investment management firm, in its merger with Cerity Partners, a financial and wealth advisory firm serving high-net-worth individuals and their families and nonprofit organizations and foundations throughout the United States.

Stradley Ronon Advises Fountain Life in LifeOmic Acquisition

Stradley Ronon represented Fountain Life, an advanced diagnostics and preventative health company, in its acquisition of health data technology company LifeOmic. As a result of the transaction, Fountain Life owns all of LifeOmic's intellectual property, including the LifeOmic Platform and software, LifeOmic Patient Mobile App, consumer-focused mobile apps and science-backed educational content. The deal supports Fountain Life's mission of transforming the healthcare system into one that is proactive and data-driven.

For more, read Fountain Life's announcement.

Pronto Repairs Acquired by Tech24

Stradley Ronon represented Pronto Repairs, Inc. in an acquisition by Tech24, a portfolio company of HCI Equity Partners. Pronto Repairs offers repair, maintenance and installation services for foodservice and commercial HVAC equipment to hospitals and medical centers in the New York City area. Tech24 is a national industry leader in commercial foodservice equipment repair and maintenance. The acquisition allows Tech24 to strengthen its presence both in the New York City metropolitan area and in the healthcare segment.

The Mushroom Industry Protects Its Brand

Stradley represents family owned mushroom business To-Jo Mushrooms in preparing and filing trademark applications. Based in Avondale, Pennsylvania, To-Jo is a fourth-generation mushroom farm.

The firm also represents the Mushroom Council, an industry trade association, in all of its intellectual property matters. The Mushroom Council is composed of fresh market producers or importers who average more than 500,000 pounds of mushrooms produced or imported annually.

Business Vantage Point

The Evolving Landscape of Patent Litigation Funding: Trends, Targets and Future Strategies

June 9, 2025

The U.S. patent litigation landscape is being reshaped by the burgeoning industry of litigation funding, which has grown into a multibillion-dollar market. Initially met with skepticism, litigation funding has become a mainstream tool for patent enforcement. This growth is...

Negotiating Software Licensing Agreements in the Generative AI Era

December 21, 2023

In the ever-evolving landscape of technology, the emergence of generative artificial intelligence has ushered in a new era of possibilities. Unlike traditional software, generative AI possesses the ability to create, innovate and even surprise its users. As legal professionals,...

Through the Looking Glass: Navigating Software and AI in the Age of Alice

June 27, 2023

Artificial intelligence (AI) is a driving force behind advancements in software and computer-implemented innovation, and it raises important considerations with patents. In the world of AI, patents can cover more than just hardware components – they can also encompass...