



## Gerald M. Kraai

Partner | [gkraai@lathropgage.com](mailto:gkraai@lathropgage.com)

### OVERLAND PARK

10851 Mastin Boulevard  
Building 82, Suite 1000  
Overland Park, KS 66210-1669

T: 913.451.5164  
F: 913.451.0875

#### Assistant

Jana Mashburn  
417.877.5986

### PRACTICE AREAS

Intellectual Property  
Copyrights  
Intellectual Property Audits  
Intellectual Property Litigation  
Intellectual Property Transactions  
Licensing and Technology Transfer  
Patents  
Trademarks  
Corporate  
Business Litigation

### INDUSTRIES

Technology

### EDUCATION

University of Iowa College of Law, J.D., *with distinction*, 1967

University of Iowa, B.S.I.E., 1964

Mr. Kraai is an experienced intellectual property lawyer and serves as Chairman, Prosecution & Transactions, Intellectual Property Division. He manages the intellectual properties of several companies who have extensive patent, trademark, and copyright portfolios and has an active patent and trademark prosecution practice involving advertising, appliances, automotive accessories, computer applications, conveyor sensors, cookware, educational materials, entertainment and sports, hearing devices, home and manufacturing tools, kitchenware, magazines, real estate, seminar materials, software development, trade publications, trailers and trailer hitches. He has also been heavily involved in new product design and infringement avoidance.

Mr. Kraai has negotiated and prepared intellectual property licenses and agreements in the United States and abroad relating to agricultural products and processes, ammunition, appliances, books, chemical compositions, clothing, computer software, construction devices and operations, construction drawings, cookware, direct television sales, educational materials, electronic devices, firearms, food, gaming devices, in-ear monitors, kitchenware, manuals, manufacturing operations, online applications, photographs, product development, research projects, retail sales, sports and entertainment events, and web sites.

Mr. Kraai is also an experienced trial and appellate lawyer. He has tried over 60 jury cases and been involved in state or federal court litigation in 19 states. His intellectual property cases have involved patents, trademarks, or trade secrets relating to auto polishers, bathtubs, boiler cleaning suits, bowling equipment, cattle chutes, clothing, computer software, construction chemicals, construction services, construction drawings, cookers, counterfeit seizures, credit cards, envelopes, gaming devices, hoists, in-ear monitors, insurance, industrial heat

exchangers and dehumidification equipment, jump starters, labels, lime stabilization, loading ramps, livestock medicaments, micro welders, movies, mobile homes, medical equipment, ovens, pharmaceuticals, pickup trucks, pipelines and pipe, professional organizations, recordings and performances, sod harvesting machines, sporting events, sporting equipment, toasters, television, transgenic seed, wave generating machines and wheels.

Mr. Kraai has related litigation experience involving agricultural sales, architectural services, building construction, electric tools, engineering contracts, commodity futures trading, fidelity and surety bonds, speciality insurance coverage, pipeline construction, pipe manufacturing, pressure tanks, soil and land failures, structural failures, television performance contracts, termiticides and pesticides, and injunctions of all kinds.

He has also served as an expert witness in patent and trade secret cases.

Before joining Lathrop & Gage, he managed the intellectual property of Litman, Kraai & Brown in Kansas City and, most recently, was at Shughart Thomson & Kilroy in Kansas City.

## Court Memberships

- Iowa
- Kansas
- Missouri
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the District of Kansas
- U.S. District Court for the Eastern District of Arkansas
- U.S. District Court for the Northern District of Iowa
- U.S. District Court for the Southern District of Iowa
- U.S. District Court for the Western District of Missouri
- U.S. Patent and Trademark Office
- U.S. Supreme Court

## Honors

- Selected among *The Best Lawyers in America*®, 2006 - 2012
- Named to Best of the United States, Lawyer Section, 2006
- Martindale Hubbell® “AV” Rating
- Iowa District Court Judicial Nominating Commission, District 3B, 1980

## Professional Affiliations

- The Missouri Bar
- Iowa State Bar Association
- The Kansas City Metropolitan Bar Association
- American Bar Association

## Publications

- Gerald M. Kraai and A. Justin Poplin, *National Law Journal*, Royalties for infringement before a patent issues, October 2011
- Richard W. Harold, Gerald M. Kraai, (subject: color trademarks and color science) 1996

## Publications

- The National Law Journal: Gerald Kraai and Justin Poplin on Royalties for Infringement Before a Patent Issues