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Waco’s second federal magistrate judge sworn in to help manage growing patent litigation docket



Derek Gilliland (Tommy Witherspoon for KWTX)

By [Tommy Witherspoon](#)

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WACO, Texas (KWTX) - Waco has a new federal magistrate judge and he is eager to hit the ground running to help U.S. District Judge Alan Albright manage the nation’s leading and fastest-growing patent law docket.

Albright swore in Derek Gilliland, Waco’s second magistrate, in a ceremony Friday at the U.S. Courthouse. He said Gilliland, Albright’s former co-counsel in a 2013 multimillion dollar patent infringement case, has the potential to be one of the best magistrate judges in the country.

Gilliland, 51, who formerly practiced law in Waco, joins Jeffrey C. Manske, who has served as magistrate in Waco since 2001.

“If Derek is half the judge Jeff Manske is we will be in great shape,” said Albright, who has served as federal judge in Waco three and a half years.



helping out. But hopefully, it means we can continue to grow and keep the patent docket and civil docket here in Waco busy and growing and moving."

The Judicial Conference of the United States authorized a second magistrate judge for the Waco division after Albright remade the court into the nation's leading patent litigation destination, with about a quarter of the nation's patent litigation being filed in Waco.

After Albright swore in the new judge, Gilliland's wife, Kelly, a veterinarian, helped him slip on the judge's robe as Gilliland's parents, Dr. Charles and Diane Gilliland, of College Station, sat at a counsel table.



Derek Gilliland, Waco's second magistrate judge (Tommy Witherspoon for KWTX)

Manske said he will focus on criminal matters and half of the court's civil docket, while Gilliland will assist Albright with patent litigation and his share of the general civil cases.

"I am excited to have someone of Derek's temperament and character to work with," Manske said. "He is humble, he is kind and I think he is going to be an exceptional addition to the judiciary in Waco. We have been inundated with new cases since Judge Albright has come on board, so to have the help is just a blessing."

Albright selected Gilliland in November from a field of more than 80 applicants after a search committee narrowed the field to five finalists. Members of the search committee, including former Ambassador Lyndon Olson, Waco Mayor Dillon Meek and attorney Russ Hunt, sat in the jury box during Friday's ceremony.

"Judge Albright has a huge docket of intellectual property and patent cases and Derek Gilliland has a superb background in the subject matter of intellectual property and patent law." Olson said. "We felt like Magistrate Gilliland was very, very qualified, but it was absolutely Judge Albright's call."



Derek Gilliland’s wife, Kelly, a veterinarian, helped him slip on the judge’s robe as Gilliland’s parents, Dr. Charles and Diane Gilliland, of College Station, sat at a counsel table. (Tommy Witherspoon for KWTX)

Hunt said the committee narrowed the large applicant field to about 20, who were interviewed. From those, they winnowed the field to five finalists.

“Derek just shined,” Hunt said. “He has got a wealth of experience as a patent lawyer. He knows patent law backward and forward, and that is where Judge Albright needs the help. All of the finalists were just outstanding people, but of all the people who were outstanding, we felt like Derek would be the biggest help to get his feet on the ground and take off running so he could help Judge Albright in the patent area.”

Gilliland’s law firm, Sorey & Gilliland, has an office in Longview and one in Waco it opened in June. He has specialized in patent law for the past decade. He was co-counsel in 2013 with Albright, who was a chief intellectual property litigator with the Bracewell & Giuliani law firm, in a patent case in Tacoma, Washington, that involved genetic testing devices.

Representing the plaintiffs, they won a \$96 million jury verdict, which Gilliland said grew to about \$112 million in post-judgment damages by the time the case settled.

Gilliland, a Bryan native, graduated from Texas A&M University with a mechanical engineering degree and moved to Waco in 1994 to work for the former Chrysler Technologies Airborne Systems, now L3Harris Technologies. He graduated from Baylor Law School and has worked at firms in Austin and Waco.

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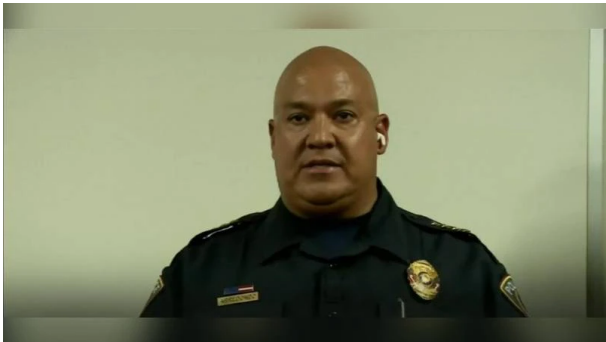
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