

CUSTOM CONTENT

AUGUST 14, 2017

T H E M O S T

# Influential Intellectual Property Attorneys

I N L O S A N G E L E S



**A**s the legal landscape continues to evolve in terms of intellectual property and licensing law, the Los Angeles Business Journal once again has focused the spotlight on some of the region's leading IP attorneys. There are some particularly stellar IP attorneys in the LA region and we've alphabetically listed 30 of the best of them here, along with some basic information about their careers, practice and some relevant recent successes they've achieved.

Congratulations to the attorneys who made this list and thank you for working to keep the people and businesses of Los Angeles on the right track!

## MOST INFLUENTIAL IP ATTORNEYS

**CHARLES S. BARQUIST**

Senior Counsel, Intellectual Property Group  
Morrison Foerster LLP



**C**HARLES S. Barquist is senior counsel in the firm's Intellectual Property Group. He focuses his practice on business litigation including patents and other intellectual property, antitrust and unfair competition, and dispute resolution for technology companies. Barquist has achieved outstanding results in patent litigation for several foreign and domestic clients in U.S. courts and before the International Trade Commission (ITC).

Successful trial results include defense wins for EchoStar in the Eastern District of Texas and the ITC, and a plaintiff's verdict against Microsoft on behalf of an individual inventor. Barquist won summary judgment of non-infringement for Capital One against prolific inventor and litigant Walker Digital, a victory affirmed by the Federal Circuit. Barquist led a team that won a \$35 million settlement in a patent infringement action in Minnesota for our client Angeion Corporation, a manufacturer of implantable defibrillators, and a favorable settlement for Veeco Instruments in enforcing its patents covering atomic force microscopy. Other patent litigation has involved technologies such as smart phones, virtual cameras, medical lasers, hard disk drives, infrared thermometers, rechargeable batteries, digital satellite receivers, and environmental stress screening equipment.

**WAYNE BARSKY**

Co-Chair, Intellectual Property Practice Group  
Gibson, Dunn & Crutcher LLP



**W**AYNE Barsky is a trial lawyer and national co-chair of Gibson, Dunn & Crutcher's 125-lawyer Intellectual Property Practice Group, where he focuses on high-stakes,

high-profile patent litigation for clients in the biotechnology, pharmaceutical, and medical device industries. Barsky's practice regularly takes him to district courts around the country, as well as to the Federal Circuit Court of Appeals, Ninth Circuit Court of Appeals, and the International Trade Commission.

Barsky was recently lead defense counsel for Medtronic in a patent infringement action filed in the Western District of New York pertaining to remote patient monitoring systems for chronic diseases such as diabetes and hypertension. Plaintiff Medgraph, Inc. alleged that use of Medtronic's blood glucose monitors, as well as CGM implants (continuous glucose monitors) and associated software indirectly infringed numerous method claims and directly infringed a system claim in Medgraph's patents related to remote patient monitoring. The judge granted Medtronic's motion for summary judgment of non-infringement on all claims of both asserted patents. Later, the Federal Circuit unanimously affirmed the district court's summary judgment. Barsky argued both the summary judgment and the appeal.

**LINDA M. BURROW**

Partner  
Boies Schiller Flexner LLP



**L**INDA M. Burrow is a go-to litigator in the entertainment industry for cases ranging from participation claims, to copyright and trademark infringement, breach of

contract, and right of publicity. She has won numerous motions to dismiss and summary judgment motions on copyright infringement and trademark claims brought against major studios.

One recent example of her success occurred on February 27th of this year, the Ninth Circuit Court of Appeal affirmed the dismissal with prejudice in January 2016 of copyright infringement claims brought by Constantino Basile against Burrow's client Warner Bros. Entertainment Inc. Basile had alleged that the films Jupiter Ascending and The Dark Knight Rises infringed his works "The World of Jupiter" and "Crisis on Jupiter." Also on February 27th – the same day -- the Ninth Circuit affirmed the dismissal with prejudice of copyright infringement claims brought by Arika Hayes against Viacom and other defendants, which the District Court dismissed after Hayes repeatedly failed to allege facts showing that she was the owner of a valid copyright.

**VINCENT H. CHIEFFO**

Co-Chair, National Media & Entertainment Litigation Group  
Greenberg Traurig, LLP



**V**INCE Chieffo is Co-Chair of Greenberg Traurig's Media & Entertainment Litigation practice, and has a national Intellectual Property Litigation and

Media & Entertainment Litigation practice with significant trial and appellate experience. Chieffo has served as lead counsel to media, entertainment, celebrity and business clients in high stakes litigation. This includes disputes throughout the entertainment and media business, including those involving copyright and trademark infringement, fair use issues, indirect profits, right of publicity, defamation, anti-SLAPP motions, the rights of estates and heirs, idea submission, royalties and participations, and distribution and financing agreements.

He is currently representing highly successful recording artists in separate copyright infringement actions, and a motion picture studio in a defamation and copyright infringement action arising out of a recent docudrama about a musical group. He has represented producers and creators of major motion pictures and documentaries in copyright and trademark infringement actions. He has also represented parties in precedent setting copyright and right of publicity cases in the United States Supreme Court and in the California Supreme Court.

**MORGAN CHU**

Partner  
Irell & Manella LLP



**M**ORGAN Chu is a partner of Irell & Manella LLP. He was named The Outstanding Intellectual Property Lawyer in the United States in the first Chambers Award for Excel-

lence, 2006. Chambers has described Mr. Chu as "beyond doubt the most gifted trial lawyer in the USA," who "delivers staggering results for clients." Chu is presently Chair of the Litigation Group.

Chu was lead trial counsel in some of the world's largest—and in some cases precedent-setting—verdicts, judgments and settlements, resulting in actual payments totaling over \$5 billion, including City of Hope v. Genentech for which the jury verdict was the largest damage award ever affirmed on appeal by California courts. More than \$565 million was paid by the defendant. Other examples of Chu's success include TiVo v. EchoStar, et al. – \$1.6 billion in judgments and settlements including over \$600 million paid by EchoStar after the jury verdict and post-trial proceedings; TiVo v. Motorola and TiVo v. Cisco – \$490 million; TiVo v. AT&T – \$215 million; TiVo v. Verizon – \$250 million, plus future royalties.

**MICHELLE COOKE**

Partner and Co-Chair, Intellectual Property Practice  
Manatt, Phelps & Phillips, LLP



**F**OR over 20 years, Manatt's Intellectual Property Co-Chair Michelle Cooke has successfully been helping clients protect -- as well as expand -- their most

important asset: their intellectual property. Having cultivated a reputation for exceptional trademark work attuned to business interests, Cooke serves as a trusted partner to her clients. She works with publically traded companies such as Universal Studios, General Mills, and Alliance Healthcare Services in establishing, guarding and growing their brands. This includes providing global strategies to create and increase brand value and tackling cross-border trademark and copyright issues and disputes, and revising those strategies as needed. She repeatedly is sought after for resolving complex multi-jurisdictional disputes and intellectual property challenges.

Cooke frequently advises her clients on licensing, manufacturing, distribution, marketing, advertising, and digital and social media content, as well as the enforcement and defense of intellectual property rights for a wide range of clients spanning well-known and start-up brands in the entertainment, apparel and media/technology industries to manufacturers in food and beverage, consumer products, and industrial goods, as well as professional service providers.

**ROBYN C. CROWTHER**

Partner  
Boies Schiller Flexner LLP



**R**OBYN Crowther is a trial lawyer whose practice covers all manner of complex commercial disputes, with particular experience in trade secret matters and copyright enforce-

ment. Her matters have involved civil trials and arbitration before various tribunals including JAMS, AAA, FINRA and various state and federal courts. Recently she has handled cases interpreting the scope of licenses in developing technologies including the Internet and mobile applications.

Among her current work, Crowther serves as lead counsel in various matters for EVOX, for which she pursues enforcement actions to protect EVOX's copyrights and other intellectual property. In January of this year, Crowther secured an order of partial summary judgment against KAYAK Software Corporation establishing the validity of EVOX's copyrights, and also defeated KAYAK's motion for summary judgment. After the Court granted a second motion for summary judgment supporting EVOX's interpretation of the scope of its contract with KAYAK, the case was settled on the eve of trial on terms very favorable to EVOX. In addition, Crowther has successfully defended claims asserted against various television properties.

**KATHERINE DUGDALE**

Partner  
Perkins Coie LLP



**K**ATHERINE Dugdale is a partner in the Perkins Coie firm's Litigation practice. Her practice focuses on intellectual property and general commercial litigation. She has particu-

lar experience in the area of trademark, copyright and related intellectual property litigation. She has handled copyright and trademark cases throughout the country. She currently represents the world's largest software developer in a comprehensive domestic brand integrity, trademark and copyright litigation effort, involving successful lawsuits in federal courts throughout the United States against retailers, suppliers, and vendors.

Other litigation matters include representing a major airline in a commercial dispute and representing Internet companies in copyright and trade secret disputes. Dugdale is also active in pro bono matters and is the chair of the pro bono committee for the Los Angeles office.

MOST INFLUENTIAL IP ATTORNEYS

**MARC A. FENSTER**

Co-chair, Litigation Department; Head, Intellectual Property Department  
Russ August & Kabat LLP



**M**ARC Fenster specializes in high tech patent litigation. He started his career at Irell & Manella. Since joining Russ August & Kabat (RAK) in 2003,

when he founded the patent litigation practice at RAK, Fenster has built one of the top patent litigation practices in the country, with over 25 patent litigators. RAK has consistently been in the top five firms in terms of plaintiff patent cases filed for the last four years. He has been lead counsel in over ten patent cases, including three trials in the last year, with RAK securing victories for its clients in each case.

Among the recent cases that Fenster served as lead counsel for recently was the Core Wireless v. Apple case. Fenster was lead counsel in a trial against Apple for infringement of two standards essential patents involving cellular technology. The RAK team obtained a jury verdict of infringement and no invalidity on both patents. This appears to be the first time Apple has lost a patent case in the Northern District of California.

**EVAN FINKEL**

Leader, Los Angeles Intellectual Property Group  
Pillsbury LLP



**E**VAN Finkel, leader of Pillsbury's Los Angeles Intellectual Property group, handles all aspects of patent, copyright, trademark, trade secret, unfair competition and

computer law. His practice has a particular focus on all aspects of computer-related technologies and consumer electronics. He has more than 30 years of experience representing clients in IP litigation and post-grant proceedings, as well as alternative dispute resolution proceedings, most often involving numerous parties and a multitude of patents. He negotiates technology agreements, prepares IP-related opinions and prosecutes and manages portfolios relating to patents, trademarks and copyrights. He also frequently spearheads IP due diligence in corporate mergers and acquisitions.

Finkel secured an \$18 million settlement payment to Toshiba Corp. in a patent infringement action against a Taiwanese competitor over DVD technology, and later won a \$13 million arbitration award, confirmed on appeal, for further royalties due under the settlement agreement. He also represented patent owner Globberide Inc. in an inter partes review proceeding in which all challenged claims of Globberide's patent on an "Oscillate Mechanism for a Fishing Spinning Reel" were found patentable over the prior art.

**CRAIG GELFOUND**

Head of Intellectual Property Group, Los Angeles  
Arent Fox LLP



**C**RAIG Gelfound is the head of Arent Fox's Intellectual Property group in the Los Angeles office, leading more than 35 intellectual property attorneys and legal profes-

sionals. Under his leadership, the Intellectual Property group was ranked nationally by Chambers USA and recognized as the best in the country for client service. He has been honored as among the nation's best attorneys and a leader in his field by Legal 500, where he is described as an "internationally known IP legend" who is "extremely commercially astute." He also serves as an adjunct member of the faculty at Southwestern University School of Law, where he teaches patent law.

Gelfound has been recognized for his extraordinary track record with successfully monetizing intellectual property to maximize return on investment by procuring, managing, licensing and enforcing domestic and global portfolios for multinational corporations, middle market companies, and emerging entrepreneurs. Gelfound is also a highly skilled litigator, serving as lead counsel in cases involving patents, trademarks, copyrights, trade dress, trade secrets, and commercial transactions.

**TAMERLIN J. GODLEY**

Partner  
Munger, Tolles & Olson LLP



**M**UNGER, Tolles & Olson litigator Tamerlin J. Godley excels at handling complex business litigation disputes and specializes in entertainment litigation and advising.

She serves as counsel to the major studios, networks, recording companies and music publishers, and she has long been active in protecting their intellectual property, including the valuable James Bond trademarks and copyrights, the copyrights in numerous Turner Broadcasting programs, and the international copyrights of the Gershwin catalog, among other important intellectual property.

Godley recently represented Warner Bros. in an internal investigation related to alleged reports of misconduct on the set of one of its most important IP assets, the ABC reality television program "Bachelor in Paradise." The allegations presented a significant threat to the studio, however, the investigation was completed and the series resumed production. Godley also served as lead counsel representing Time Warner and several of its subsidiaries, including Warner Bros. Entertainment and Telepictures in obtaining dismissal of a lawsuit filed in Los Angeles Superior Court alleging the company stole the idea for its ethnically diverse daytime talk show "The Real." The court ruled in favor of Godley's clients.

**msk**

With more than 130 lawyers and offices in Los Angeles, New York, and Washington D.C., Mitchell Silberberg & Knupp LLP (MSK) is often distinguished as a "go-to" firm by industry and legal insiders, and has extensive experience in Entertainment & IP Litigation.

We offer advice and counsel in the areas of anti-piracy, copyright, trademark, patent, intellectual property and technology agreements, and trade secrets, providing worldwide representation in the protection, enforcement and exploitation of intellectual property rights.

Congratulations to **Karin Pagnanelli** and **Marc Mayer** for being named the *Los Angeles Business Journal's* Most Influential Intellectual Property Attorneys

**Karin Pagnanelli**

**Marc Mayer**

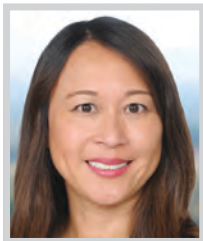
los angeles  
new york  
washington, dc

@mskllp  
msk.com

## MOST INFLUENTIAL IP ATTORNEYS

**VALERIE GOO**

Partner  
Crowell & Moring LLP



**V**ALERIE Goo, a Los Angeles-based partner at Crowell & Moring, is a nationally recognized trial lawyer with two decades of experience litigating intellectual property

matters, including misappropriation of trade secrets, trademark infringement, copyright infringement, patent infringement, defamation, licensing, and right of publicity claims. Goo has conducted jury and bench trials in federal and state courts as a first or second chair, as well as numerous arbitrations. Her litigation experience extends to representing clients before federal and state appellate courts. She has successfully obtained and defended against temporary restraining orders and preliminary injunctions in IP and trade secret misappropriation matters.

Goo represented a major television distributor in a multi-week jury trial against a leading global media and entertainment company; the issue was resolved favorably for the client. She also successfully represented a leading ad placement and search engine optimization company in a five-week jury trial. In addition, she provides IP counseling in the areas of licensing, trademark and patent prosecution, and assignments. Goo also recently recovered millions of dollars for the owner of a professional automobile photograph library whose copyrights were being infringed.

**KENT GOSS**

Partner  
Crowell & Moring LLP



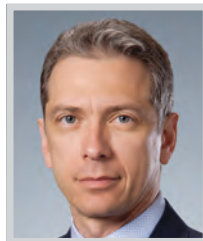
**K**ENT Goss, a partner at Crowell & Moring, is a nationally recognized trial lawyer on trademark and other IP matters. With 30 years of experience, his practice centers on

litigating trademark infringement, copyright infringement, patent infringement, trade secrets, defamation, licensing, and right of publicity claims. Goss has a distinguished record in representing clients in high-stakes matters, including eight- and nine-figure disputes. His numerous litigation successes include both obtaining and defeating requests for temporary restraining orders, preliminary injunctions, and seizure orders under the Trademark Act.

Goss' clients include large corporations, media, equity funds, consumer electronics companies, professional athletes, actors, entertainment companies, toy companies, clothing companies and department stores, start-ups, technology-based companies, manufacturers, and homeowners' associations. Recent high-profile matters involve the representation of NFL star Tom Brady for violations of his right of publicity resulting in multiple settlements before an answer was filed, and ongoing work for Brady involving trademark registration. Goss represented Royce Gracie, one of the most renowned MMA fighters, in a dispute between promoters.

**ANDREI IANCU**

Managing Partner  
Irell & Manella LLP



**A** highly decorated IP litigator, Andrei Iancu represents some of the country's most innovative companies in their highest stakes matters, while also serving as the

firm's managing partner. He is known for his ability to successfully prosecute and defend patent infringement cases, although he has also been involved in all other aspects of the intellectual property practice, including patent and trademark prosecution, due diligence and licensing. Iancu represents clients across the technology spectrum, including those associated with medical devices, genetic testing, therapeutics, the Internet, telephony, TV broadcasting, video game systems and computer peripherals. An award-winning author, he regularly speaks and writes on patent law and practice.

Some of Iancu's recent successes include delivering B/E Aerospace a complete victory in March 2016 with two wins in close succession in B/E Aerospace's dispute with MAG Aerospace Industries over aircraft toilet patents. First, the U.S. Patent and Trademark Office invalidated the three patents MAG asserted against B/E, and then the following week, the Federal Circuit affirmed the district court decision that found B/E not to infringe MAG's patents.

**MITCH KAMIN**

Entertainment and Media Litigation Partner  
Covington & Burling LLP



**M**ITCH Kamin is called upon by media and entertainment industry leaders such as 21st Century Fox and Sony Music Entertainment to handle their complex, high

profile intellectual property disputes. He has particular expertise in copyright and trademark issues, as well as disputes involving the distribution of intellectual property. He excels in the prompt resolution of claims, often through negotiation or early motion practice; but when litigation is the only option, Kamin draws upon his extensive trial experience, having handled numerous cases in both state and federal courts.

Kamin was one of the founding partners of Covington's Los Angeles office, where he leads the local Commercial Litigation Practice. He is also a member of the firm's Communications and Media Practice, which has been described by Chambers and Partners as a "market-leading group" for providing a consistently high level of legal and strategic advice to companies around the world. Additionally, he is a leader of Covington's Music Industry Initiative, which pools the experience of key lawyers within the firm's intellectual property, privacy and transactional practices to provide cohesive and innovative counsel to clients in the increasingly regulated and evolving music space.



Thompson Coburn congratulates partner *Sam Watkins* for his recognition among the *Most Influential IP Attorneys in Los Angeles*



Sam Watkins  
Intellectual Property

Thompson Coburn's Brand Protection Practice offers Intellectual Property owners unparalleled protection from global counterfeiters and pirates.

Learn more about Thompson Coburn's **TOTAL COMMITMENT** to our people at [thompsoncoburn.com](http://thompsoncoburn.com)



*Arent Fox congratulates*  
**Craig Gelfound**  
*on his selection to the Los Angeles Business Journal's list of "LA's Most Influential IP Attorneys."*

Smart in your world®  
**Arent Fox**

LA / NY / SF / DC / [arentfox.com](http://arentfox.com)

## MOST INFLUENTIAL IP ATTORNEYS

**KELLY M. KLAUS**

Partner  
Munger, Tolles & Olson LLP



As the go-to copyright authority for major entertainment companies including Disney, Fox, Warner Bros. and other Hollywood studios, as well as for non-entertainment entities, Munger, Tolles & Olson litigator Kelly M. Klaus is frequently tapped by clients looking to protect their most valuable intellectual property. Klaus is a renowned legal advocate in the copyright community and has successfully represented clients in their most significant IP-related litigation. A widely recognized authority in IP law, he is a member of the Los Angeles Copyright Society, the Copyright Society of the United States, the Copyright Alliance's Legal Advisory Board and the USC Intellectual Property Institute's Planning Committee.

Klaus represented Disney, Lucasfilm, Fox and Warner Bros. as plaintiffs in obtaining a preliminary injunction against VidAngel, a service that offers unlicensed streaming of motion pictures and television shows. A federal court held that the studios had shown a strong likelihood of prevailing on their claims that VidAngel circumvented the technological measures that control access to movies on DVDs and Blu-ray discs (i.e., DVD ripping), and that VidAngel infringed copyright by copying and streaming plaintiffs' movies without authorization.

**JASON LO**

Partner  
Gibson, Dunn & Crutcher LLP



Jason Lo, an IP partner with a focus on patent and trade secrets litigation, has successfully represented leading companies in various industries, including the video game, liquid crystal display, semiconductor, military defense, and pharmaceutical industries. He has litigated high-stakes patent infringement cases in courts throughout the United States, as well as the U.S. International Trade Commission.

Lo is lead counsel for VIZIO in three separate actions relating to liquid crystal display technology. In the first two actions (one in Delaware and one in Texas), VIZIO was sued for patent infringement by Acacia-affiliates Delaware Display Group and Innovative Display Technologies for patent infringement relating to certain VIZIO televisions. In the Delaware action Lo argued at the summary judgment hearing on behalf of VIZIO, and also conducted a live cross-examination of plaintiffs' damages expert in connection with a Daubert motion. Both the Delaware and the Texas cases settled shortly after those proceedings, and on the eve of trial. In the IC Display case, VIZIO also is accused of patent infringement relating to certain televisions. The case is in its initial phases and fact discovery is expected to commence shortly.

**TODD M. MALYNN**

Principal  
Polsinelli LLP

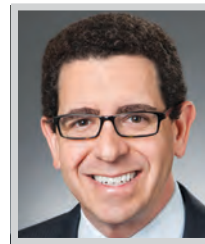


Todd Malynn is a distinguished intellectual property litigation attorney with a reputation for taking on cases that require him to develop novel legal theories and applications that expand the interpretation of existing intellectual property law in order to address cutting edge legal problems in this complex and rapidly expanding area of the law.

For example, using a novel approach, Malynn successfully litigated a case involving FDA regulations to obtain a judgment in favor of his client from the Central District of California that resulted in a new legal theory regarding "off label" advertising. In another case, Malynn helped develop the legal strategy that ultimately resulted in a \$2.3 billion judgment for misappropriation of trade secrets, the largest jury verdict in California in 2011. He was also a key part of the legal team that received the largest jury verdict for a patent infringement action in California in 2014. Over the past two years, he has handled a number of cases for Hand & Nail Harmony, Inc. and Nail Alliance, LLC that have resulted in novel decisions and rulings directly impacting other intellectual property litigation cases.

**MARC E. MAYER**

Partner  
Mitchell Silberberg & Knupp LLP



Having represented video game developers, music publishers, and other content creators for nearly two decades, Marc Mayer has become a go-to litigator for major game companies and music-industry clients in copyright, trademark, and other IP-related disputes. Beginning with his work for the RIAA in its groundbreaking file-sharing litigation against Napster, Mayer has been as passionate about understanding the complex technologies at issue in his high-stakes cases as he is about finding ways to use the law to protect his clients.

Mayer, co-chair of MSK's video game practice, has been a formidable force fighting the most pervasive threat known today to the video game industry -- exploitation software known as "bots." Mayer has uniquely positioned himself on the front lines protecting his clients against the makers and sellers of these bots, private servers, and other cheats -- filing more than a dozen such lawsuits in the past few years on behalf of clients such as Blizzard, Riot, and Nexon. His intimate understanding of code writing and technology interfaces allow Mayer the ability to effectively litigate a successful defense strategy.



# navigating the way

Congratulations to Todd Malynn, named to the *Los Angeles Business Journal's* 2017 "Most Influential IP Attorneys." Looking through the lens of the client, Todd identifies legal strategies that align to each client's business goals. Informed legal counsel to navigate complex waters.



## Leaders stand out.

Atlanta Boston Chattanooga Chicago Dallas Denver Houston Kansas City Los Angeles Nashville  
New York Phoenix Raleigh St. Louis San Francisco Silicon Valley Washington, D.C. Wilmington

real challenges. real answers.<sup>SM</sup> | [polsinelli.com](http://polsinelli.com)

The choice of a lawyer is an important decision and should not be based solely upon advertisements. Polsinelli PC. Polsinelli LLP in California.

## MOST INFLUENTIAL IP ATTORNEYS

**DARRELL MILLER**

Managing Partner, Los Angeles  
Fox Rothschild LLP



**D**ARRELL Miller serves as the chair of the Entertainment Law Department and Managing Partner of Fox Rothschild's Los Angeles office. A prominent entertainment lawyer

with more than 20 years' experience in entertainment law, Miller focuses his practice on transactional law with an emphasis on the motion picture, television, music, theatre and multimedia industries. As a former singer and performer, Miller has a deep understanding of the creative talent he represents, as well as the knowledge and savvy of a seasoned entertainment attorney.

Miller's clients include diverse and visionary individuals and entities, reflecting his commitment to developing multimedia opportunities within the convergent climate of today's entertainment industry. His commitment to providing superior personal service has resulted in long-standing relationships with studio executives and creative personnel, representation of actors, writers, directors and producers associated with a variety of television programs and motion pictures including "NCIS," "Law & Order," "Curb Your Enthusiasm," "Entourage," "In Plain Sight," "Flash Forward," "Friday Night Lights," "Dancing with the Stars," "Crash," "RocknRolla," "Couples Retreat," "Notorious," and many more.

**KARIN PAGNANELLI**

Partner  
Mitchell Silberberg & Knupp LLP



**A**s co-chair of Mitchell Silberberg and Knupp's Entertainment & Intellectual Property litigation practice group and Video Game group, as well as a member of

the firm's governing board, Karin Pagnanelli has been a charismatic force shaping the legal landscape as one of the nation's top IP attorneys, and has successfully defended clients against copyright, patent, and trademark infringement allegations as well affirmatively protecting her clients' intellectual property rights, either through litigation, or a structured anti-piracy program focused on results with low overhead and fees.

Guitar Hero, Grand Theft Auto, and Call of Duty are three of the most popular video game franchises in history. Pagnanelli has won IP lawsuits involving each of them (including two summary judgment decisions and, in the case of Grand Theft Auto, a favorable settlement). In Blizzard Entertainment, Inc. et al v. Lilith Games (Shanghai) Co. Ltd. et al, she co-represents the developers of World of Warcraft, the world's most popular multiplayer online role playing game in a copyright action that raises age-old copyright issues made fresh in a digital context.

**JULIAN K. PETTY**

Partner  
Nixon Peabody LLC



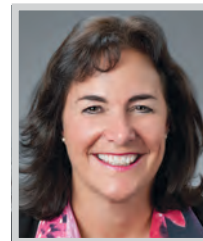
**A**TTORNEY Julian K. Petty's client list is a who's who of hip-hop artists including Childish Gambino, A Tribe Called Quest, Vince Staples, Earl Sweatshirt, and

the estate of the Notorious B.I.G. He has extensive experience in the entertainment industry and provides strategic career and business guidance to a variety of talent and corporate clients.

Within the last year alone, Petty secured and negotiated a joint venture agreement between Epic Records and A Tribe Called Quest for the release of their final studio album, which debuted at #1 on the Billboard 200 chart. A Tribe Called Quest has been a client of Petty's for nearly ten years. He recently negotiated a tour agreement as well as various merchandising and licensing deals for the group. He also helped client Childish Gambino mount his three-day Pharos festival by handling all agreements related to production, merchandising and the festivals' mobile app as well as a sponsorship agreement with Microsoft. He also represented Childish in all agreements related to his music services for the FX hit show "Atlanta."

**JILL PIETRINI**

Partner  
Sheppard Mullin LLP



**J**ILL Pietrini is a partner in the Intellectual Property Practice Group in Sheppard Mullin's Century City office. Her practice encompasses the full breadth of intellectual

property law, with a focus on trademark, dilution, trade name, trade dress, copyright, right of publicity, violation of persona rights, unfair competition, and patent litigation and appellate practice. She also focuses on registration and maintenance of trademarks before the United States Patent and Trademark Office and copyrights before the United States Copyright Office and has been involved with the prosecution and defense of more than 700 Trademark Trial and Appeal Board proceedings in the U.S.

Pietrini is a sought-after expert source for the media, including major print publications and national broadcast outlets, and has testified as an expert witness on trademark law in federal court. A powerhouse litigator, portfolio manager and trademark attorney, she would appear on any short list of the top intellectual property lawyers in the state. The cutting-edge nature and impact of Pietrini's work crosses many industries for a diverse client roster in the entertainment, insurance, music, apparel, farming, promotion, and e-commerce industries.

## CONGRATULATIONS TO OUR FRIEND & PARTNER

**MARC A. FENSTER**

Los Angeles Business Journal: 2017 Leading Intellectual Property Attorney

The Los Angeles Business Journal has recognized Marc as one of the nation's leading intellectual property lawyers. Marc founded and leads the intellectual property practice at Russ August & Kabat, counseling clients and representing them in trial and appeals throughout the United States.

Russ August & Kabat provides sophisticated, creative and cost effective intellectual property, business and real property transactional and litigation counsel to our clients.

**RUSS AUGUST & KABAT**

## MOST INFLUENTIAL IP ATTORNEYS

**KENT RAYGOR**

Partner  
Sheppard Mullin LLP



**K**ENT Raygor, a partner in Sheppard Mullin's Century City office, practices in the Business Trial, Intellectual Property, and Entertainment Technology and Advertising

groups. Areas of practice for Raygor include complex litigation, including class actions and multidistrict litigation, appearing before state and federal trial courts around the country, including the California Courts of Appeal and Supreme Court, Multidistrict Litigation Panel, Ninth Circuit and Federal Circuit Courts of Appeals, and U.S. Supreme Court. His work in Intellectual property litigation and counseling has included trademark, copyright, trade dress, trade secret, false advertising, patent, computer, and Internet litigation and counseling matters for UGG, Eddie Bauer, MillerCoors, Sprint, MGA Entertainment, Digital Domain, CompUSA, TigerDirect, Hurley, Billabong, Samsung, and many others.

Among his recent successes has been his work defending Sprint in a suit by Luvdarts, which creates and distributes audiovisual greeting cards. Luvdarts asserted that the wireless carrier industry committed vicarious and contributory copyright infringement by providing the means for peer-to-peer delivery of MMS content. Sprint and the other carriers successfully moved to dismiss.

**DYLAN RUGA**

Trial Lawyer  
Stalwart Law Group LLP



**D**YLAN Ruga is a trial lawyer focused on intellectual property, professional liability, and commercial litigation. Ruga has earned a reputation among his clients and col-

leagues as a dedicated advocate who obtains results by outworking and outmaneuvering his opponents.

Ruga left an international law firm to open his own firm, Stalwart Law Group. One of his firm's first clients was a tech startup called Reserve Media, Inc., which launched restaurant reservation software under the RESERVE trademark. Unbeknownst to Reserve Media at the time it launched, another company also sold restaurant reservation software under other "Reserve" -related marks. That company demanded \$50 million from Reserve Media and threatened to sue. Reserve Media hired Ruga to develop a litigation defense strategy. In the end, Ruga's strategy worked; the court dismissed all of the counterclaims and concluded that Reserve Media's use of the RESERVE trademark did not infringe on the other company's marks. Ruga is now working with investors and others in the startup community to identify new ways for startups to avoid and, if necessary, defend against similar trademark-related claims.

**MARK SCARSI**

Partner  
Milbank, Tweed, Hadley & McCloy LLP



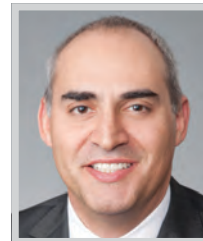
**I**N his over twenty years of practice, Mark Scarsi has led high profile trial victories on behalf of some of the most preeminent technology companies. Scarsi is the Co-Manag-

ing Partner of Milbank's Los Angeles office and head of the firm's Intellectual Property Litigation & Technology practice.

In the past 18 months alone, Scarsi has been lead counsel in the significant IP litigation matters such as The Oneida Group Inc. v. Steelite Int'l U.S.A. Inc. Steelite International USA Inc. acquired the factory that has been supplying The Oneida Group Inc. (Scarsi's client) with Oneida's high-end dinnerware for almost twenty years and proclaimed that Steelite would become the exclusive provider of this dinnerware. As a result, Oneida sued Steelite and other defendants for infringement of the trade dress rights Oneida has in the dinnerware. Scarsi also successfully represented Google in Callwave Communications Inc., v. Google Inc., regarding a patent infringement suit brought by CallWave Communications LLC in Delaware over its patented method of determining the location of mobile platforms.

**DANIEL SCOTT SCHECTER**

Partner  
Latham & Watkins LLP



**D**AN Schecter handles and tries high-stakes intellectual property and complex commercial cases, with a particular emphasis on representing California com-

panies involved in cross-border disputes involving technology and media. Schecter's practice focuses on litigating and trying to verdict intellectual property, technology and entertainment cases and complex business disputes. He has prevailed in jury trials, bench trials and arbitrations taken to verdict or decision with more than \$3 billion in claimed damages at stake, and in the past year won major victories in jury trial and arbitration, and successfully fended off intellectual property challenges to his clients' core technology in trade secret and false advertising cases.

His recent cases have broad reach and impact. For example, in a case named among the Daily Journal's "Top Defense Verdicts of 2016," Schecter led a Latham team that won a complete defense verdict in a federal jury trial. Schecter represented a major Dubai-based bank facing a \$1.6 billion claim by a California-based fintech company, InfoSpan, asserting trade secret misappropriation and fraud. Ultimately, the jury rejected InfoSpan's account and returned a complete defense verdict as to all claims.

**GIBSON DUNN**

congratulates our partners,

**Wayne Barsky and Jason Lo,**  
for their well-deserved recognition as  
the Most Influential IP Attorneys  
by the *Los Angeles Business Journal*



[www.gibsondunn.com](http://www.gibsondunn.com)

|              |           |             |               |                  |
|--------------|-----------|-------------|---------------|------------------|
| Beijing      | Denver    | Houston     | New York      | San Francisco    |
| Brussels     | Dubai     | London      | Orange County | São Paulo        |
| Century City | Frankfurt | Los Angeles | Palo Alto     | Singapore        |
| Dallas       | Hong Kong | Munich      | Paris         | Washington, D.C. |

## MOST INFLUENTIAL IP ATTORNEYS

**LAURA D. SMOWE**

Partner  
Munger, Tolles & Olson LLP



**W**ITH her special expertise in the area of trade secrets and employee mobility, Munger, Tolles & Olson's Laura D. Smowe is frequently tapped by clients seeking

an experienced complex commercial litigator and trial lawyer, particularly on issues regarding their sensitive intellectual property. In the past 18 months, Smowe and her team obtained -- on the eve of trial -- a preliminary injunction, cash payment and public apology in settling a trade secret dispute involving a leading online real estate company. She also achieved a significant trial victory against another leading trial lawyer in a case that was recognized by the Daily Journal as one of the top 10 defense trial victories of 2016.

The importance and relevance of trade secrets litigation has been increasing rapidly given the ease with which information is now transferred and the frequency with which employees change jobs and move between competitors. Companies increasingly turn to trade secrets law -- and to Smowe -- to address issues involving intellectual property or proprietary information that may not fit the traditional copyright, patent or trademark mold.

**BOB STEINBERG**

Partner  
Latham & Watkins LLP



**W**HILE maintaining his thriving IP practice, Latham partner Bob Steinberg recently led an effort to organize nearly 50 law firms and other stakeholders in

creating the Patent Trial and Appeal Board (PTAB) Bar Association, the first new US bar association formed in three decades. In early 2016, a handful of PTAB practitioners saw the value in establishing best practices for the unique skills required to appear before the PTAB, so they collaborated on an organizational charter. The myriad tasks involved in such an effort fell to Steinberg and the small group of like-minded practitioners from leading IP law firms who aligned efforts among themselves and the U.S. Patent Office's leadership, adopt a charter and bylaws, raise funds, form committees, develop a website and other communications, and organize a highly successful inaugural conference with more than 400 practitioners attending.

Steinberg has also been instrumental in establishing Latham's PTAB practice, which he chairs. The practice pioneered innovative approaches to the burgeoning area of PTAB proceedings, and has maintained an outstanding success rate in persuading the PTAB to institute clients' petitions and a more than 96% success rate with final determinations.

**STEPHEN J. STRAUSS**

Shareholder  
Buchalter LLP



**S**TEPHEN J. Strauss is a Shareholder and Chair of the Firm's Intellectual Property Practice Group and Co-Chair of the Firm's Entertainment Practice Group. For over 30 years, Strauss has

specialized in domestic and international trademark, copyright, and unfair competition matters, including licensing, Internet domain name disputes, and litigation. He has prosecuted over two thousand U.S. and foreign trademark and service mark applications, and won over 60 UDRP decisions.

Strauss represents a number of internationally recognized celebrities, sports personalities, recording artists, chefs, authors and media and entertainment companies. He also represents a wide range of diverse clients including restaurants, banks and financial institutions, clothing and toy manufacturers, and magazine and book publishers. Strauss is a member of The Television Academy, the Recording Academy (NARAS), Pacific Pioneer Broadcasters, and the Visual Effects Society. He is also an Adjunct Professor and member of the Executive Board of the Biederman Entertainment & Media Law Institute and Board of Directors of the Entertainment and Intellectual Property Law Alumni Association (SWEIP) at Southwestern Law School.

**TIMOTHY TOOHEY**

Partner  
Greenberg Glusker LLP



**D**ATA today drives nearly all enterprises, and Partner Timothy Toohey, head of Greenberg Glusker's Cyber Security Practice, works to assure that his clients' pro-

proprietary, personal, customer and employee information, and other sensitive data is fully protected and serves its intended purposes. An intellectual property lawyer as well as a privacy and data security attorney, Toohey works hand-in-hand with organizations, entrepreneurs, and high-profile individuals—entertainers, actors, and athletes—on matters of data strategy and security, drawing upon his proven ability to translate technical aspects to non-technical persons. He helps his varied clients efficiently collect and secure the data and intellectual property crucial to their success in today's connected world. On the cutting edge of data's role in all aspects of society, Toohey also skillfully facilitates conversations to mediate between the needs of technologists and executives. He advises clients on what can be done to maximize effective data usage to comply with national and international laws, regulations, and best practices. If necessary, Toohey represents clients in litigation involving data security, privacy, and technology.




BOIES SCHILLER FLEXNER

We congratulate  
Linda Burrow,  
Robyn Crowther,  
and all of the  
Most Influential  
IP Attorneys.



Congratulations  
Valerie Goo and Kent Goss

Recognized by the Los Angeles  
Business Journal as  
Most Influential IP Attorneys

CROWELL.COM

BOIES SCHILLER FLEXNER LLP

725 South Figueroa Street  
Los Angeles  
401 Wilshire Avenue  
Santa Monica  
[www.bsflp.com](http://www.bsflp.com)



MOST INFLUENTIAL IP ATTORNEYS

**SAMUEL WATKINS**

Partner  
Thompson Coburn LLP



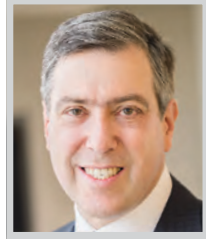
**S**AM Watkins is a member of the Intellectual Property Practice Area in the Los Angeles office of Thompson Coburn LLP. He practices trademark and related intellectual

property litigation, with a special focus on the design and implementation of brand protection strategies that target pirates who illegally import or distribute counterfeit goods and other acts of infringement. He advises leading companies in the luxury goods, apparel, footwear, and fitness industries on how best to address counterfeit and gray market issues.

Watkins' successful brand integrity efforts involve lawsuits against illegal importers, internet vendors, retailers, suppliers, as well as complicit customs brokers, freight forwarders, and local distributors across the United States. These lawsuits not only have resulted in multi-million dollar damages awards and settlements against counterfeiters and gray marketers, they also have produced significant, brand-owner-friendly advancements in the field of trademark enforcement law. Watkins obtained an \$8 million federal jury verdict -- the first of its kind in the United States -- against a customs broker for contributory infringement involving the importation of tens of thousands of counterfeit luxury handbags and wallets.

**DAVID N. WEISS**

Managing Partner, Los Angeles Office  
Knobbe Martens LLP



**D**AVID N. Weiss is the managing partner of Knobbe Martens' Los Angeles office. Weiss joined the firm in 1995 and became a partner in 2000. He focuses on domestic and inter-

national patent protection, copyright protection, trade secret protection, and other forms of intellectual property protection. His technical experience includes electronic, software, and computer-related technologies, as well as communication technologies, mechanical devices, and e-commerce.

In addition, Weiss' practice includes general counseling on licensing and infringement issues, drafting license and confidentiality agreements, as well as intellectual property due diligence studies and related negotiations for mergers and acquisitions. He currently represents clients in a wide range of technologies, including wireless and VoIP communications, media distribution, video encoding and decoding, computer security, semiconductor devices, solar power, mass storage systems, healthcare information technology, optical network architectures, instrumentation, and automated processing systems. He also represents software clients in matters involving e-commerce, electronic watermarking, restaurant management, phone applications, gaming, and electronic business methods.

**RYAN YAGURA**

Partner, Chair of IP Practice  
O'Melveny & Myers LLP



**R**YAN Yagura is Chair of O'Melveny's Intellectual Property and Technology Practice. An accomplished litigator, Yagura steers some of the world's leading technology

companies through their complex patent infringement matters, including representing Samsung at trial against nVidia Corporation, successfully settling two cases on the brink of trial, and defending the company in many more patent infringement matters. Yagura also secured significant victories this past year for AMD and iHeartMedia; represented Apple in a contentious and complex patent case against OpenTV, and is currently defending AMD in a fast-paced USITC investigation launched by ZiiLabs.

Yagura is the O'Melveny partner in charge of numerous firm matters for Samsung. His most significant recent work for Samsung was for the matter of 511 Innovations, Inc. v. Samsung Telecommunications America, LLC, for which Yagura led Samsung's defense in this patent litigation involving optical sensor technology. Yagura and his team had completed pretrial proceedings and were preparing for trial when the parties reached a successful settlement in March 2017.

**"Intellectual property, more than ever, is a line drawn around information, which asserts that despite having been set loose in the world - and having, inevitably, been created out of an individual's relationship with the world - that information retains some connection with its author that allows that person some control over how it is replicated and used. ...you can't persuade people on the one hand to abandon intellectual property and hope to keep them interested in privacy. You can't trash privacy and hope to retain a sense of respect for IP."**

— NICK HARKAWAY, Author

It's easier than ever to find  
The Community  
of Business.™



LOS ANGELES BUSINESS JOURNAL  
labusinessjournal.com

EVERY BANK HAS  
BUSINESS ACCOUNTS.  
OURS COME WITH  
**ACCOUNTABILITY.**



CONTACT YOUR LOCAL BANKING EXPERTS:

**Beverly Hills**  
9355 Wilshire Blvd, Suite 102  
Beverly Hills, CA 90210  
310.623.8900

**Los Angeles**  
601 West 5th Street, Suite 100  
Los Angeles, CA 90071  
213.362.5200

Bank on Accountability  
torreypinesbank.com



Torrey Pines Bank, a division of Western Alliance Bank. Member FDIC.

## MOST INFLUENTIAL IP ATTORNEYS

# Intellectual Property Cyber Theft Expected to Rise

THE number of intellectual property (IP) cyber theft incidents for the remainder of the year is expected to increase, according to 58 percent of respondents to a recent Deloitte poll. When asked which category of potential adversary they believe is most likely to attempt theft of their organizations' IP, the prevailing percentage of respondents (20.1 percent) answered "employees or other insiders." Yet, only 16.7 percent of respondents said access to IP is very limited, on a need-to-know basis only.

"While many of us know—or have experienced firsthand—how a cyberattack can severely disrupt business, loss of an asset as critical as IP can be crippling for most organizations," said Don Fancher, principal, Deloitte Financial Advisory Services LLP, national leader, Deloitte Forensics & Investigations, and Deloitte Forensic leader, Deloitte Global. "Managing risks to trade secrets, drawings, plans, or proprietary know-how that drive your organization's revenue and competitive advantage often includes quantifying how loss of that IP would impact the business, preparing to identify and pursue adversaries, and building a defensible chain of data custody to counter future IP cyber theft threats."

As cited in the Deloitte Review article, "The hidden costs of an IP breach: Cyber theft and the loss of intellectual property," IP can constitute more than 80 percent of a single company's value today. And yet, 44.1 percent of respondents to the Deloitte poll collectively feel that assessing the impact of IP loss and managing relationships would be the largest challenges faced by their organization. Sectors expecting a higher than average increase in IP cyber theft in the next year included: Power and utilities (68.8 percent); telecom (68.8 percent); industrial products & services (64.7 percent); and automotive (63.9 percent). Those sectors expecting higher than average insider IP theft attempts included: Automotive (32.2 percent); oil & gas (27.2 percent); and real estate services (26.2 percent).

Tips for assessing the potential impact and protecting against intellectual property loss include:

- Define the critical assets (e.g., facilities, source code, IP and R&D, customer information) that must be protected and the organization's tolerance for loss or damage in those areas.
- Validate that any partners or suppliers involved in IP creation or utilization collaborate with the cyber risk program.

- Evaluate whether exposing some IP in the public domain may make the organization more subject to attack.
- Consider whether the competitive landscape points to new cyber threats to IP protection.
- Improve cyber resilience to manage brand impact and market position in the event of IP theft.

Taking a holistic approach toward cybersecurity isn't just about balancing technical expertise

with information technology investments, or about contingency planning. Organizations need to define their cyber risk, up front, in conjunction with their strategic priorities when making decisions on protecting their most critical assets because they recognize what the adverse consequences would be otherwise.

Adnan Amjad, Cyber Threat Risk Management practice leader for Deloitte Advisory Cyber Risk Services and partner at Deloitte & Touche

LLP added, "Predicting IP data theft is tough, as adversaries don't fit one specific mold. A robust insider threat mitigation program leverages a broad set of stakeholders to define potential insider threats and risk appetite, establish appropriate policies, procedures, controls, and training and utilizes the combination of business knowledge, virtual and non-virtual data, and technology to more effectively safeguard vital information."

Here are key considerations for building an insider threat mitigation program:

- Define your insider threats: Don't be surprised if your organization hasn't defined what an insider threat is.
- Trust but verify: Establish routine and random auditing of privileged functions, which are commonly used to identify insider threats across a broad spectrum of threats in a variety of industries.
- Connect the dots: By correlating precursors or potential risk indicators captured in virtual and non-virtual arenas, your organization can gain insights into micro and macro trends regarding the high risk behaviors exhibited across the organization.
- Stay a step ahead: Insiders' methods, tactics, and attempts to cover their tracks will constantly evolve, which means that the insider threat program and the precursors that it analyzes should continuously evolve as well.
- Set behavioral expectations: Define the behavioral expectations of your workforce through clear and consistently enforced policies.

"As the cybersecurity conversation begins to shift from a focus on technology to a broader discussion involving all essential business functions, an organization's insider threat program should evolve in a similar way," concluded Amjad.

More than 2,500 professionals participated in a Deloitte Dbriefs webcast, titled "Cyberattackers and your intellectual property: Valuing and guarding prized business assets," held on September 28, 2016. Poll respondents were from sectors including banking and securities (13.5 percent); technology (8.4 percent); investment management (6.1 percent); travel, hospitality and services (5.4 percent); insurance (5.1 percent) and retail, wholesale and distribution (5.0 percent).

**Managing risks to trade secrets, drawings, plans, or proprietary know-how that drive your organization's revenue and competitive advantage often includes quantifying how loss of that IP would impact the business, preparing to identify and pursue adversaries, and building a defensible chain of data custody to counter future IP cyber theft threats.**



## FTC and DOJ Issue Updated Antitrust Guidelines for the Licensing of Intellectual Property

EARLY this year the Federal Trade Commission and the Department of Justice issued updated antitrust guidelines for the licensing of intellectual property that explain how the federal antitrust agencies evaluate licensing and related activities involving patents, copyrights, trade secrets, and know-how. This update modernizes the agencies' 1995 IP Licensing Guidelines, ensuring that they continue to play a fundamental role in the agencies' analysis of the licensing of intellectual property rights and provide guidance to the public and the business community about the agencies' enforcement approach to intellectual property licensing.

The agencies had announced the proposed update of the IP Licensing Guidelines and made it available for public comment in August of last year. As described in that announcement, the

proposed update reflected intervening changes in statutory and case law, as well as relevant enforcement and policy work, including the agencies' 2010 Horizontal Merger Guidelines. During a 45-day comment period, the agencies received public comments from academics, private industries, law associations, and non-profit organizations. After carefully reviewing and considering the comments, the agencies have now finalized the update.

"Today, the Commission reaffirms its commitment to an economically grounded approach to antitrust analysis of IP licensing," said FTC Chairwoman Edith Ramirez. "A strong and competitive IP licensing system benefits consumers and fosters innovation, by helping to ensure that inventors realize an appropriate return on their investment."

"Our modernized IP Licensing Guidelines

continue to apply an effects-based analysis that puts the focus on evaluating harm to competition, not on harm to any individual competitor, and support procompetitive intellectual property licensing that can promote innovation," said Acting Assistant Attorney General Renata Hesse of the Justice Department's Antitrust Division. "The comments we received were helpful in completing this update and also serve more broadly to better our understanding of some of today's very complex antitrust issues that involve intellectual property rights."

In response to the desire of some commenters for the guidelines to more specifically address additional IP licensing activities, the agencies reiterate that the flexible effects-based enforcement framework set forth in the IP Licensing Guidelines remains applicable to all IP areas. In

addition, the business community may consult the wide body of DOJ and FTC guidance available to the public – in the form of published agency reports, statements, speeches, and enforcement decisions – which rely on this analytical framework and further illuminate each agency's analysis of a variety of conduct involving intellectual property, including standards-setting activities and the assertion of standards-essential patents.

The updated IP Licensing Guidelines are available on the Department of Justice's website and the Federal Trade Commission's website.

The Commission vote issue the updated guidelines was 3-0.

*The Federal Trade Commission develops policy initiatives on issues that affect competition, consumers, and the U.S. economy. Learn more at [ftc.gov](http://ftc.gov).*