



## Intellectual Property *Litigation*

When the stakes are high, experience matters. Our litigators are focused on protecting your intellectual property and defending against claims of infringement with unyielding determination.

# Overview

Procopio's deep bench of attorneys bring decades of courtroom experience litigating on behalf of a wide range of companies from startups to Fortune 500 companies. We handle a high volume of IP litigation cases in federal courts in California according to data from Lex Machina®.

We work in tandem with our exceptionally strong team of transactional Intellectual Property attorneys to achieve your desired litigation result, including creatively and diligently prosecuting and defending cases, addressing all aspects of a dispute, and dissecting complex issues for judges and juries.



## ADVOCATING FOR YOU

We conduct litigation in federal, state and appellate courts throughout the United States, including:

-  The U.S. Court of Appeals for the Federal Circuit and other federal courts
-  The U.S. International Trade Commission (ITC)
-  The Patent Trial and Appeal Board (PTAB) of the U.S.
-  Patent and Trademark Office (USPTO)
-  The Trademark Trial and Appeal Board (TTAB) of the USPTO
-  The Internet Corporation for Assigned Names and Numbers (ICANN)

We are deeply skilled in a wide array of timely and high-stakes litigation. This includes championing pharmaceutical companies in Abbreviated New Drug Applications (ANDA) cases as well as technology companies involving misappropriation of trade secrets. Lex Machina data shows Procopio ranked in the top 1% of firms litigating trade secret cases in California federal courts from 2015 to 2020 as measured by the number of cases. We have represented plaintiffs and defendants in these situations, using our extensive knowledge of the law to frequently negotiate an early resolution. Our extensive knowledge of computer forensics, electronically-stored information, and our inhouse litigation technology group helps us resolve cases efficiently and effectively.

## WE LITIGATE ALL TYPES OF IP



Patents



Trademarks



Copyrights



Trade Secrets



Internet-related disputes

## STRATEGIC PLANNING

We believe that developing a solid understanding of your business and operations enables us to advocate effectively. Identifying opportunities for strategic negotiation or techniques, such as arbitration or mediation, can help move toward a desired outcome without the time and expense of litigation.

Driving your long-term business growth may include developing alternative strategies to IP litigation such as structuring novel settlements, crafting dispute resolutions and engaging in quasi-litigation and administrative proceedings.

## CROSS-COLLABORATION

Our IP litigators work alongside a strong team of transactional IP attorneys to creatively problem-solve all aspects of your dispute. Let us work with you to build a strategic vision for your intellectual property acquisition and execution to avoid infringement accusations.

# What Our Attorneys Are *Accomplishing*

- ☒ Representing industry-leading mobile app companies in various IP and commercial dispute matters.
- ☒ Defending a major electronics company in a patent infringement matter in the Western District of Texas.
- ☒ Defending a major lighting company in a patent infringement matter in the Central District of California.
- ☒ Defending consumer product companies in a patent infringement matter at the USITC.
- ☒ Succeeded in enforcing a Silicon Valley technology leader's IP rights by obtaining a favorable settlement that resulted in cease and desist and monetary compensation.
- ☒ Defended wireless telephone carrier in Eastern District of Virginia ("rocket docket"). Plaintiff was requesting \$170M for alleged infringement of wireless modem adapters. After a three-week jury trial, the jury rendered a verdict of non-infringement and invalidity of the patent.
- ☒ Obtained defense jury verdict and attorney fees on behalf of CPR Savers and First Aid Supplies in suit brought by Express Companies, Inc., alleging theft of trade secrets and interference with Express' contract with Yahoo.
- ☒ Succeeded in winning a \$13.44 million jury verdict for a Japan-based manufacturer of polyimide films for infringement of two patents being used in various electronics.
- ☒ Obtained patent infringement verdict of \$5.5 million, plus 10% royalty for a Japan-based manufacturer of polymer fibers, against an importer and distributor of infringing products.
- ☒ Defended a Fortune 500 health care management company in a patent infringement case involving a comprehensive health care management system.
- ☒ Defended a Fortune 100 insurance company against allegations of architectural works copyright infringement in an apartment complex.
- ☒ Defended an Internet service provider against a leading global fashion house asserting claims of contributory copyright and trademark infringement for an unwitting provision of web hosting services to third party counterfeiters.

*Procopio's IP Litigation team is as good as it gets. In a patent infringement jury trial, they scored a complete victory for us – an outstanding damages award, plus a 10% royalty rate going forward. We could not have been happier with Procopio's IP Litigation team, and how they handled the case from start to finish, and their level of communication with us throughout the process.*

**Hirofumi Yamada**

SENIOR MANAGER, KANEKA CORPORATION

\*This testimonial or endorsement do not constitute a guarantee, warranty, or prediction regarding the outcome of your legal matter.



# Our *Team*



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## About Us

Procopio is committed to helping clients reach their full potential while striving always to provide the highest level of client service. Our deep bench of nearly 200 seasoned and diverse attorneys offer practical legal solutions to clients around the world. We get to know each client's industry and its challenges, and partner with clients to identify unique business opportunities and capitalize on them now and into the future.

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