

Daily Journal

APRIL 22, 2015

The Leading Intellectual Property Attorneys in California 2015

The most compelling aspect of choosing the list of leading intellectual property attorneys in California is recognizing the diversity of their achievements, and their ability to stay on the cutting edge of new developments in patent, copyright and trademark law.

While based in the state, leading litigators travel the nation to try cases, whether it's in the Eastern District of Texas, the U.S. International Trade Commission, or a new U.S. Patent and Trademark Office proceeding to determine whether a patent is valid. A few litigators successfully argued or defended cases before the U.S. Supreme Court. Copyright attorneys were in the midst of battles between technology and content providers. Trademark lawyers fought to protect their clients.

The patent prosecutors and portfolio managers on the list represent medical device makers and technology companies, drafting and defending new patents, protecting trademarks and copyrights, while often handling IP aspects of major acquisitions.

The lawyers chosen for this year's list helped to advance technological innovation or transform the law while representing a range of clients that includes Hollywood studios, technology giants, aggressive startups, and the daughter of a screenwriter. The list demonstrates the impressive and diverse work done by California attorneys whose work advances the state's leadership in intellectual property law.

—The Editors

TOP LITIGATORS OF INTELLECTUAL PROPERTY

Douglas E. Lumish

FIRM:

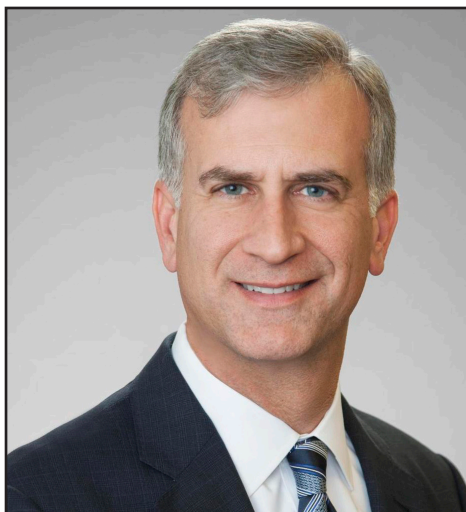
Latham & Watkins LLP

CITY

Menlo Park

SPECIALTY

Patent



Represented by a Lumish-led Latham team, TransPerfect Global Inc. secured an amended permanent injunction in November

against competing website translation service provider MotionPoint Corp.

Lumish and his team had led TransPerfect to a \$1 million jury verdict in a 2013 trial. U.S. District Judge Claudia A. Wilken in Oakland held off on enforcing any potential sales ban until post-trial proceedings were concluded. *TransPerfect Global Inc. et al. v. MotionPoint Corp.*, 10-2590 (N.D. Cal., filed June 11, 2010).

After another year of briefings and oral arguments, Lumish and his team convinced Wilken to enter an amended permanent injunction against MotionPoint that took effect this January. Wilken denied all of MotionPoint's post-trial motions.

The U.S. Court of Appeals for the Federal Circuit also rejected

MotionPoint's emergency motion to stay the injunction. Lumish authored TransPerfect's reply brief to the Federal Circuit.

Lumish said the lawsuit initially could have raised concerns with consumers over TransPerfect's website translation services. MotionPoint had asserted three patents at trial, but jurors found each of those patents invalid and not infringed by TransPerfect.

"This was a case about whether TransPerfect was entitled to move forward in the market without a cloud over its head," Lumish said.

Both TransPerfect and MotionPoint have filed appeals to the Federal Circuit.

—Kevin Lee