Trade Secrets Litigation

Trade secrets litigation is a major part of the firm's practice. We have been retained as counsel for plaintiffs and defendants in the highest-stakes, highest-profile trade secrets cases ever litigated. We have successfully represented our clients seeking and defending against preliminary injunctions, in civil and criminal cases, and at trial. For more than three decades, we have represented companies of all sizes—from venture-backed startups to Fortune 500 companies—in a wide range of industries, including aerospace, biotech, internet, medical devices, mobile devices, pharmaceuticals, semiconductor, software, telecommunications and finance. Our representative trade secrets clients include Google, General Motors, Disney, IBM, Mattel, Shell, Pfizer, Virgin Galactic, Northrop Grumman, Waymo, Avery Dennison, Motorola, Intuit, easyJet Airlines, Home Depot, Zynga, and many others.

Because of the relative ease with which technology and information can be transferred, and its critical value of many companies, misappropriation of confidential information is a constant threat. Many of our engagements include employee movement between competitors. It is a fact of corporate life that competitors frequently hire employees for what they know—whether proprietary or not.

No technology is too complex for our lawyers to understand when technical trade secrets are involved. We can call upon the nearly 140 lawyers in our firm who have technical degrees in virtually all areas of science and engineering. We likewise have extensive experience in prosecuting and defending trade secrets cases in the financial industry, including those involving asset managers and investment funds.
Time is of the essence in trade secrets cases. Once the proprietary data is exchanged, it is often too late. We can spring into action on a moment's notice. We produce high-quality legal work literally overnight—obtaining or defeating applications for temporary restraining orders and preliminary injunctions that have profound effects on our clients' businesses.

Our experience runs deep in many jurisdictions. We represent clients in state and federal courts, as well as in arbitrations, across the country and internationally. We represent plaintiffs and defendants, as well as individuals and corporations. We are also well-versed in the recently enacted federal Defend Trade Secrets Act of 2016 ("DTSA"), with federal law being invoked with increasing frequency.

Sometimes trade secrets misappropriation cases have criminal aspects. If so, we can call upon our white collar specialists with expertise in this area. Our firm was among the first to represent an aggrieved client under the Economic Espionage Act, which resulted in federal criminal convictions and an eight-figure civil jury verdict stemming from the theft of its trade secrets.

We also have won, year after year, some of the most significant appellate decisions involving trade secrets law in federal and state courts across the country. As a result, our firm provides comprehensive trade secrets representation from the investigative, pre-suit phase, to trial and through final appeal.

Attorney Advertising. Prior results do not guarantee a similar outcome.

REPRESENTATIVE TRADE SECRET CLIENTS

- Avery Dennison
- Barnes & Noble
- Brøderbund Software
- CalComp, Inc.
- Callidus Software
- Corbis
- Coty, Inc.
- Data East
- Disney
- Dow Chemical
- eBay
- Electronic Arts
- Fox
- Fremantle Media
- Google
- HBO
- Hallmark
- Home Depot
- IBM
- International Game Technology
- Intuit
- INVISTA/Koch Industries
- Mattel
- Marvell Technology Group
- Maxwell Technologies
- Motorola
- MTV
- Multiply.com
- Napster
- National Academy of Recording Arts and Sciences
- Northrop Grumman
- Olaplex
- Paramount
- Pennzoil/Quaker State
- Pfizer, Inc.
- Phoenix American
- Phoenix Technologies
- Pinterest
- PPG Industries, Inc.
- Sae-A Trading Company Limited
- Shell Exploration & Production Company
- Shoebuy.com
- SolidWorks
- StubHub
- SSA Global
- Trust Company of the West
- Turner Entertainment
- Viacom
- Virgin Galactic
- Warner Home Video
- Waymo
- Zynga
- Wiz, Inc.

NOTABLE REPRESENTATIONS

- IlliquidX Limited v Altana Wealth Limited & Ors (Court of Appeal, 2026) We represented IlliquidX Limited in a breach of confidence and trade secrets claim arising from the breakdown of a joint venture to establish a sanctions-compliant fund investing in distressed Venezuelan sovereign debt. After the venture collapsed, Altana Wealth and Brevent Advisory set up a competing fund using IlliquidX's confidential investment strategy. The High Court found in our client's favour in February 2025, and the Court of Appeal unanimously dismissed the defendants' appeal on 10 July 2026, reaffirming the legal test for "public domain" information under English law.

- *United States v. Pangang Group Co.* (N.D. Cal. 2026). Quinn Emanuel represented Pangang Group, a PRC state-owned company, in one of the most consequential Economic Espionage Act prosecutions in U.S. history. The government alleged that Pangang, at the direction of the Chinese government, conspired to steal DuPont's closely guarded chloride route process for manufacturing titanium dioxide, a trade secret DuPont had protected since the 1940s. After fifteen years of litigation that included multiple interlocutory appeals to the Ninth Circuit and a landmark challenge to amended federal service rules, Quinn Emanuel secured the dismissal of all charges against Pangang after just three days of trial.

Attorney Advertising. Prior results do not guarantee a similar outcome.

- *Jazz Pharmaceuticals, Inc. v. Avadel CNS Pharmaceuticals, LLC.,* 21-691 (D. Del., 2025). We represented Jazz Pharmaceuticals in a high-stakes dispute involving patent litigation claims brought by Jazz, and antitrust, trade secrets, and patent infringement claims brought by Avadel Pharmaceuticals relating to Jazz's oxybate franchise for treating narcolepsy and idiopathic hypersomnia. In March 2024, the jury in Jazz's patent case found Jazz's patent valid and awarded Jazz damages for Avadel's infringement. We also obtained a partial injunction from the Court preventing Avadel from marketing its oxybate product for any indication other than narcolepsy, and defended that injunction order through appeal in early 2025. Concurrent to Jazz's patent case, through coordinated litigation across antitrust, trade secrets, and patent practices, our cross-office team built a record demonstrating that Avadel's allegations were without merit. When the parties' agreed to a comprehensive settlement of their claims, Avadel abandoned all trade secrets and patent infringement claims, accepted substantially reduced damages on its antitrust claim, and agreed to pay Jazz royalties that will accumulate through 2036.

- *In re HomeAdvisor, Inc. Litigation* (D.Colo. 2025). We successfully defended **HomeAdvisor** and IAC in a long-running putative class-action litigation in which plaintiffs sought over $4 billion in class-wide damages. The case involved allegations that HomeAdvisor misrepresented the quality of leads sold to service providers. After taking over for prior counsel several years into a nearly decade-long litigation, we achieved total victory by obtaining summary judgment on equitable claims and repeatedly defeating attempts to certify damages classes. On top of that, we secured a favorable settlement with the Federal Trade Commission, following an investigation improperly fomented by plaintiffs' counsel's violations of court orders, for which we ultimately obtained an order granting significant sanctions for its clients.

- *Samsung Display Corporation Ltd. v. BOE Technology Group Co., Ltd. et al.* (2025). We represented Samsung Display Corporation in a case involving trade secret misappropriation by BOE Technology Group and obtained an extraordinary Initial Determination completely barring importation of BOE's OLED products for more than 15 years.

- *Iqvia Inc. et al. v. Veeva Systems, Inc.* (D.N.J. 2022). We represent IQVIA and IMS Software Services ("**IQVIA**") in a case involving misappropriation/misuse of trade secrets brought by Veeva Systems. We uncovered in discovery that Veeva had been misappropriating IQVIA's proprietary data and spoliating evidence for years, and moved for sanctions against Veeva. The Court agreed with us, finding Veeva had been "well-aware that it was misappropriating IQVIA data," had "engaged in an extensive clean-up endeavor to hide what had occurred," and imposed adverse inference sanctions against Veeva. Discovery in the case is continuing.

- *Nantworks, LLC et al. v. Bank Of America Corporation et al.* (C.D. Cal. 2022). We currently represent **NantWorks** in a 6-patent, trade secret misappropriation, and breach of contract case against Bank of America based on its mobile check deposit feature in its mobile banking app. The trade secret claims are based on a collaboration between Bank of America and NantWorks' predecessor to develop a mobile check deposit platform. The case is currently stayed pending the resolution of *inter partes* review proceedings regarding the asserted patents.

- *Serenium, Inc., v. New Century Healthcare Holding Co.* (N.D. Cal. 2021). We successfully defended **New Century Healthcare Holdings** against trade secret misappropriation and contract claims brought by Serenium. After we won dismissal of the case for lack of personal jurisdiction in the District Court, the case, together with an earlier-filed arbitration proceeding, settled on confidential terms.

- *Quid, Inc. v. Primer Technology, Inc. et al.* (Cal. Superior Court 2022). We successfully represented **Primer Technologies**, its **CEO** and **Founder**, and **two former Quid employees (now Primer employees)** in a trade secrets and breach of contract case against Quid. We defeated Quid's repeated requests for a preliminary injunction against all of our clients, successfully moved to compel arbitration of Quid's claims against the CEO, and stayed Quid's claims against our other clients. Following a six-day, fully-remote (by Zoom) hearing that was one of the first after the onset of the pandemic, the arbitrator rejected Quid's damages claims and awarded only $1 as nominal damages for what the arbitrator said was a purely "technical" breach of an agreement to return material post-employment. We defeated, in their entirety, Quid's claims for breach of fiduciary duty and to receive assignment of a Primer patent. Our CEO client was declared the "prevailing party" under the contract and was awarded all of his attorneys' fees and costs, plus interest, and recovered over $6.8 million from Quid. Quid then dismissed its claims against the remaining defendants as part of an extremely favorable settlement.

- *Wisk Aero LLC v. Archer Aviation Inc.* (N.D. Cal. 2021). We represent **Wisk Aero** in a trade secret misappropriation and patent infringement case against competitor Archer Aviation. Wisk is a joint venture of Boeing and Kitty Hawk, and began development of electric vertical takeoff and landing (eVTOL) aircraft over a decade ago. In late 2019 and early 2020, a startup competitor, Archer Aviation, began recruiting and hiring a number of engineers from Wisk. After conducting a forensic investigation, Wisk discovered that two of those engineers had downloaded thousands of confidential files and subsequently filed suit against Archer for trade secret misappropriation and patent infringement. The case is scheduled for trial in April 2023.

- *(1) Beijing Neu Cloud Oriental System Technology Co., Ltd. v. International Business Machines Corporations; IBM World Trade Corporation, and IBM China Company Limited* (S.D.N.Y. 2019). *(2) Beijing Teamsun Technology Co., Ltd. and Beijing Neu Cloud Oriental System Technology Co., Ltd. v. International Business Machines Corporation, IBM World Trade Corporation, and IBM China Company Limited* (NY Supreme Court, 2022). We obtained early, full dismissals for **IBM** in two related cases in which IBM was sued for misappropriation of trade secrets under the Defend Trade Secrets Act ("DTSA"), among other claims. The plaintiffs were two Chinese companies that had done business with certain IBM entities. Both the federal court (in SDNY) and the state court (in the Commercial Division – NY Supreme Court) ruled in our favor that the claims were barred entirely by a contractual time limitation for bringing claims. Both courts also ruled that no personal jurisdiction existed over IBM China, despite the plaintiffs' allegations that IBM China was an alter ego of IBM. The federal court further ruled in our favor that the plaintiff failed to plead a cognizable trade secret, and, as to IBM China, that the plaintiff failed to plead conduct within the DTSA's territorial reach. The state court further ruled that the plaintiffs' claims failed because they were pled under New York law instead of under the applicable Chinese law.

- *Allscripts Healthcare, LLC v. DR/Decision Resources, LLC d/b/a Decision Resources Group, et al.* (D. Mass 2022). We successfully defended **DR/Decision Resources** against claims for breach of contract and trade secret misappropriation. The plaintiff sought $160 million dollars in damages plus trebling, but the jury awarded just $1 on breach of contract and found our client did not engage in trade secret misappropriation.

- *Tanium Inc. v. Wiz, Inc., et al.* (N.D. Ga. 2021). We represented cloud cybersecurity client **Wiz** in two employee raiding and trade secret actions brought by competitor Tanium in New Jersey and the Northern District of Georgia. Prior to QE's engagement, Tanium had already obtained a temporary restraining order against our client; QE defeated

Tanium's motions for a temporary restraining order and preliminary injunction in the Georgia District Court and then succeeded in getting Wiz dismissed entirely from the Georgia case based on claim-splitting. Shortly thereafter, Tanium agreed to dismiss both lawsuits (after a favorable confidential settlement).

- *Proofpoint, Inc., Cloudmark LLC v. Vade Secure Incorporated, et al.* (N.D. Cal. 2021). We represented **Proofpoint** and its subsidiary, **Cloudmark**, in a case involving misappropriation of trade secrets and infringement of copyrights by Vade Secure and its CTO. After a three-week live jury trial, and one week of deliberations, the jury returned a verdict in Proofpoint's favor, finding that Vade Secure had willfully misappropriated Proofpoint's trade secrets, and infringed Proofpoint's copyrights. The jury awarded approximately $14 million in compensatory damages. Earlier in the case, we had defeated counterclaims raised by Vade Secure asserting antitrust, monopolization, and unfair competition claims when the Court granted our motion dismissing these counterclaims and Vade Secure dropped them from the case when faced with our further motion to dismiss.

- *Life Spine Inc. v. Aegis Spine Inc.* (N.D. Ill. 2021). We represented medical device manufacturer **Life Spine** in a dispute with its former distributor, which had sought to steal Life Spine's trade secrets and develop a knock-off of Life Spine's premier product. After a nine-day evidentiary hearing, we obtained a sweeping preliminary injunction barring Aegis from marketing and selling its product pending trial.

- *Calendar Research LLC v. StubHub, Inc. and eBay Inc. et al.* (C.D. Cal. 2020). Quinn Emanuel won summary judgment on behalf of **eBay** and **StubHub** in a trade secret theft and Computer Fraud and Abuse case involving group-planning mobile app software. In a 41-page order, District Court held that plaintiff Calendar Research failed to identify its purported trade secrets with reasonable particularity and dismissed the federal Defend Trade Secrets Claim in its entirety. The only federal claim remaining, brought under the CFAA, related to whether one of the individual defendants accessed his work email after leaving the company. The parties agreed to dismiss this claim with prejudice, and the Court entered judgment in favor of the individual.

- *Curvature LLC et. al. v. Pivit Global Inc., et al.* (Cal. Superior Court 2019). We successfully represented clients **PivIT**, its **founders**, and **former Curvature employees** against Curvature's trade secret and contract claims. We defeated Curvature's discovery efforts based on their failure to identify their trade secrets with particularity, and moved to compel arbitration. In a stinging opinion that heavily criticized Curvature, the Court agreed with us and compelled the case to arbitration. In the subsequent arbitration, we counterclaimed for breach of contract and for Curvature's violation of California Labor Code. The case quickly settled favorably to our clients.

- *Mountain West Series of Lockton Cos. LLC and Lockton Partners LLC v. Alliant Insurance Services, Inc.* (Del. Ch. 2019). Quinn Emanuel won a broad preliminary injunction in Delaware Chancery Court for its clients, independent insurance brokers **Mountain West Series of Lockton Companies** and **Lockton Partners** against competitor Alliant Insurance Services in a case alleging tortious interference with contract and business expectancy, misappropriation of trade secret, confidential, and proprietary information, and aiding and abetting breaches of fiduciary duty. In a sweeping opinion and order, the Court enjoined Alliant and its affiliated entities from directly or indirectly soliciting or servicing its recruits' former clients and prospects, including those who had already switched brokers, and from directly or indirectly soliciting any Lockton employee, member, or consultant.

- *WeRide Corp. et al v. Huang et al.* (N.D. Cal. 2019). The firm obtained a second

preliminary injunction for autonomous vehicle start-up **WeRide** in trade secret litigation in the Northern District of California against two former employees and their new company, AllRide. The Court had granted a preliminary injunction against all defendants except WeRide's former CEO. However, evidence the firm recovered from devices surrendered pursuant to the first injunction established that the former CEO was independently liable—and that his prior sworn statements were false. We also discovered that defendants were engaged in corporate shell games and otherwise hiding material in discovery. In its order granting our motion for an expanded injunction, the Court found that the former CEO's earlier testimony "was, at best, inaccurate." The Court also found that defendants were involved in "chicanery" to evade the litigation and frustrate the initial injunction, and so enjoined defendants from creating any new companies or transferring assets. Finally, the Court ordered the defendants to turn over their entire source code repositories to WeRide for forensic imaging and analysis. We achieved this victory against three separate firms representing the various defendants—Kilpatrick Townsend, Greenberg Traurig, and Vinson & Elkins.

- *Desktop Metal, Inc. v. Markforged, Inc. et al.* (D. Mass 2018). We obtained a jury verdict for our client **Markforged**—a 3D printer manufacturer—in a bet-the-company case that was tried on an accelerated schedule before a Boston jury. Desktop Metal, a competing 3D printing company, sued our client on claims that it had misappropriated trade secrets and incorporated those trade secrets into Markforged's 3D printers. Desktop Metal also sought an injunction that would have forced Markforged to stop selling its newest product. Markforged asserted counterclaims against Desktop Metal for trade secret misappropriation, among other claims, arising from Desktop Metal's founding. During a trial on those claims, shortly after opening statements and Markforged's CEO taking the stand, Desktop Metal agreed to a confidential settlement with favorable terms for our client.

- *uCar Technology (USA) Inc. and uCar Inc. v. Yan Li, Hua Zhong, Da Huo, and Zhenzhen Kou* (N.D. Cal 2018). We represented **four California-based scientists** accused of misappropriating data and other information related to smart car/driverless car technology. We defeated plaintiff uCar's preliminary injunction motion, with the court finding provisionally that there was no evidence that our clients had engaged in any trade secret theft or breached any obligation to uCar. After forcing uCar to bring its chief scientists to the United States for deposition, and after we filed key motions challenging whether uCar even owned any trade secrets, we achieved a favorable settlement. uCar dismissed its complaint with prejudice.

- *Calendar Research LLC v. StubHub, Inc., et al.* (C.D. Cal. 2018). We represent **StubHub** in a case brought by a startup investor alleging trade secret misappropriation, among other claims. We won summary judgment on the trade secret claim following an expedited expert and fact discovery period, during which the experts examined over 7 million lines of code for several apps.

- *Waymo LLC v. Uber Technologies, Inc., et al.* (N.D. Cal. 2018). We represented **Waymo**, formerly Google's self-driving car program, in an action asserting misappropriation of trade secrets related to Waymo's self-driving LiDAR (Light Detection and Ranging) technology against Uber and its autonomous vehicle unit, Ottomotto LLC. The parties reached a settlement on the fourth day of trial, after Waymo had presented much of its case-in-chief, granting Waymo a percentage of equity in Uber (valued at $245 million) as well as injunctive relief that assures Uber will not use Waymo's trade secret hardware and software self-driving car technology.

- *MGA Entertainment, Inc. v. Mattel, Inc.* (LA Superior Court 2018). We obtained summary judgment on behalf of our client **Mattel** in its long-running battle against toy-company

MGA Entertainment. Litigation between the parties started in 2004 and has spanned two lengthy trials in federal court, two appeals to the Ninth Circuit Court of Appeals, and a host of other significant trial and appellate court work. After more than a decade of litigation, the only remaining claim between the parties was a claim by MGA for alleged trade-secret misappropriation pending in the Los Angeles County Superior Court, for which MGA sought more than $1 billion in damages. Recognizing that Mattel had a strong defense based on the statute-of-limitations, we convinced the court to bifurcate the case to address that defense first and then moved for summary judgment on the basis that MGA had discovered its trade-secrets claim more than three years before it was first raised. In granting Mattel's summary judgment motion, the court agreed that MGA's claim was untimely. The Court of Appeal affirmed the dismissal order and thus closed the latest chapter in this marathon litigation.

- *West v. eBay* (N.D. NY 2018). We represented **eBay**, defending it against trade secret misappropriation and related claims arising out of the development of eBay's valet service. The case settled on confidential terms after we deposed the plaintiff and obtained an admission that he had altered evidence.

- *Curvature LLC et al v. PivIT Global, Inc.* (C.D. Cal. 2018). We represented a computer hardware company, **PivIT**, and its **founders** against trade secret claims brought by their former employer, Curvature, regarding the alleged theft of customer lists and other business information.

- *United States of America v. Pangang Group Company* (N.D. Cal. 2018). We represented the **Pangang Group Company** in a criminal prosecution pending in the Northern District of California related to the alleged theft of trade secrets from the DuPont Co. The United States government filed charges in 2012, alleging that Pangang conspired to steal titanium dioxide technology from DuPont. The case was considered one of the most significant prosecutions ever brought under the Economic Espionage Act and was the subject of a front page profile in the *Wall Street Journal*. While the case is still pending, we have staved off prosecution for over six years through a series of pretrial motions and by an appeal to the Ninth Circuit. Our lawyers have deep substantive expertise in this area as well as considerable ties to the Northern District Courthouse and the U.S. Attorney's Office.

- *Vertellus v. W.R. Grace* (D. Md. 2018). We represented **Vertellus** as plaintiff in a trade secrets theft case, including under the DTSA, arising out of the defendant's accused theft of intellectual property for catalysts used in the manufacture of agrochemicals.

- *Complete Entertainment Resources LLC formerly d/b/a Songkick v. Live Nation Entertainment, Inc., et al.* (C.D. Cal. 2017). We represented **Songkick** in a lawsuit alleging that Ticketmaster used 85,000 documents misappropriated by a former Songkick Vice President to design its competing system for artist presales technology, along with claims under the Computer Fraud and Abuse Act. After completing fact and expert discovery, we defeated the defendants' motion for summary judgment. Faced with imminent trial, the defendants settled the case for $110 million and also acquired Songkick's assets for a confidential sum.

- *Google LLC v. Equustek Solutions Inc., Clarma Enterprises Inc., and Robert Angus* (N.D. Cal. 2017). **Google** retained Quinn Emanuel to bring a suit for a declaratory judgment and injunction to prevent the enforcement of an order in the United States issued by a Canadian court concerning search results worldwide. The order, which the Supreme Court of Canada affirmed, required Google, which was not a party to the underlying dispute, to remove the websites of the defendants (who had defaulted) from search results served in every country on the grounds the Canadian defendants' websites

offered products that violated plaintiffs' trade secrets. The action contends that the order is not enforceable in the United States because it is repugnant to U.S. policy as expressed by the First Amendment and Communications Decency Act, and violated international comity. The Canadian court's 2014 order was the first global delisting order, and Google's United States challenge squarely tees up whether foreign countries can restrict the speech of U.S. internet services in the United States. On November 2, 2017, Judge Davila of the Northern District of California granted a preliminary injunction prohibiting enforcement of the Canadian order in the United States. He found that enforcing "the Canadian order undermines the policy goals of Section 230 and threatens free speech on the global internet."

- *ArcherDX, Inc. et al. v. QIAGEN Sciences, LLC et al.* (D. Del. 2017). We defended **QIAGEN**, a firm that specializes in DNA testing, in a theft of trade secret action brought by Archer Therapeutics, alleging that QIAGEN took its trade secrets related to customer identity and pricing. Archer also alleges that QIAGEN stole information related to technical details of its products used for preparing DNA for sequencing.

- *Theravance Biopharma v Junning Lee* (N.D. Cal. 2017). We represented **Theravance Biopharma** against one of its chief scientists who was alleged to have taken to a Chinese competitor over 150,000 electronic files—the equivalent of 600 bankers' boxes of documents—for use after termination of the defendant's employment with Theravance. After securing a preliminary injunction against the defendant, the case settled through entry of a permanent injunction and other benefits to Theravance.

- *International Game Technology et el. v. Leap Forward Gaming, Inc. et al.* (D. Nev. 2016). We represented **International Game Technology** ("IGT") in its trade secret action against Leap Forward Gaming, in which IGT alleged that its former employees misappropriated IGT's trade secrets to set up a competing venture. Among the misappropriated trade secrets at issue was a player-tracking technology that allows the gaming machines in a casino to store, retrieve, and update player's activity data from the casino's server.

- *Beacon Sales Acquisition, Inc. v. Robert Ricci, Mirta Valdes and SRS Distribution, Inc.* (Miami-Dade County Circuit Court 2016). We were retained mid-way through the litigation as trial counsel to defend a trade secrets case against **SRS Distribution**, a competitor and new employer to several former employees of plaintiff. After obtaining discovery and filing a summary judgment motion, the case settled favorably for our client.

- *Fair Isaac Corporation v. eBay Enterprise* (NY Commercial Division 2016). We represented **eBay** and **eBay Enterprise** in counterclaims against Fair Isaac Corporation (of FICO score fame), including trade secret misappropriation based upon a former eBay employee's move to Fair Isaac Corporation. The case settled on confidential terms after the court indicated that it would grant eBay's request to disqualify in-house counsel and prevent the former employee from testifying in the case.

- *Lifesize, Inc. v. Chimene* (W.D. Tex. 2016). We represented **Lifesize** against Beau Chimene, its former employee, for misappropriating Lifesize's trade secrets for the benefit of Lifesize's direct competitor. Claims included trade secret theft under the DTSA and state law, as well as violations of the Computer Fraud and Abuse Act. We reached a favorable settlement on behalf of our client.

- *Virgin Galactic, LLC v. Thomas E. Markusic* (AAA Arbitration 2016). We represented **Virgin Galactic** in an arbitration against a former employee who started a competing small satellite rocket propulsion company using Virgin Galactic trade secret information and in violation of contractual and fiduciary duties owed to Virgin Galactic. Using forensic

evidence, we were able to establish that our adversary engaged in evidence spoliation and ultimately obtained an order for terminating sanctions, conclusively finding that the employee had misappropriated Virgin Galactic's trade secrets and violated his duties to Virgin Galactic.

- *PPG Industries, Inc. v. Jiangsu Tie Mao Glass Co., Ltd. et al.* (D. Pa. 2016). We represent **PPG Industries** ("PPG") in an action against a China-based competitor and its agents. Defendants conspired with a former PPG employee to misappropriate PPG's trade secrets, including a proprietary report that details the manufacture of windows to be used in commercial aircrafts. No other company in the industry has the technology outlined the proprietary report.

- *Ischemia Research and Education Foundation v. Pfizer Inc.* (Santa Clara Superior Court 2016). We defended on appeal our jury trial victory for **Pfizer, Inc.** in a state court action alleging trade secret misappropriation. At the initial trial in 2008, when other counsel represented Pfizer, plaintiff prevailed on all claims and obtained a judgment of almost $60 million. The court ordered a retrial, and we entered the case. In 2015, we defended Pfizer at a seven-week liability retrial. The jury found only 7 of 159 alleged trade secrets were misappropriated by a third-party consultant who was working part-time for Pfizer. In 2016, we defended Pfizer during the three-week damages trial. With Pfizer facing exposure in excess of $100 million, the jury awarded only $165,000 in damages. The Court of Appeal affirmed the jury award.

- *American Leather Operations, LLC, et. al. v. Ultra-Mek Inc.* (Middle District of North Carolina 2016). We represented **American Leather Operations** asserting trade secret misappropriation against a furniture hardware manufacturer for using American Leather's trade secrets that it learned in the course of a confidential business relationship with American Leather.

- *Zimmer Biomet v. Heraeus – Declaratory Proceedings* (Frankfurt Appellate Court 2016). We represented **one of the world's leading orthopedic companies** in a dispute with its main competitor about the territorial scope of an injunction rendered by a German appellate court. While our adversary argued that the German injunction had worldwide effect, the court agreed with our position that the injunction must be construed narrowly and did not extend beyond Germany.

- *In the Matter of Certain Opaque Polymers* (ITC 2015). We represented as complainants **Dow Chemical** and **Rohm & Haas** against Organik Kimya in an investigation related to opaque emulsion polymers. We uncovered evidence of spoliation and obtained a default judgment on the trade secret claims. The ITC issued a 25-year exclusion order and affirmed almost $2 million in monetary sanctions.

- *Koninklijke Philips N.V. and Lumileds Lighting Company LLC v. Elec-Tech International Co., Ltd., Elec-Tech International (H.K.) Co. et al.* (N.D. Cal. 2015). We successfully represented eleven companies and executives in the **Elec-Tech** corporate family, one of world's largest LED manufacturers, in suit alleging trade secret misappropriation and violation of the Computer Fraud and Abuse Act ("CFAA"). We obtained a dismissal with prejudice of the entire suit on the grounds that the asserted CFAA claim failed to satisfy federal jurisdictional requirements and thereby created new CFAA law in the Ninth Circuit. The Court further declined to retain supplemental jurisdiction over the remaining state law claims.

- *Colin Veitch and VSM Development Inc. v. Virgin Management USA, Inc., Virgin Group Investments Ltd., Virgin Group Holdings Limited, Virgin Enterprises Limited and Virgin Cruises Intermediate Limited* (S.D. Florida 2015). We defended a group of

the **Virgin companies** accused of trade secret misappropriation, breach of fiduciary duty and breach of contract by the former CEO of Norwegian Cruise Lines relating to cruise industry financial, business, and ship designs. After significant favorable rulings on motions that compelled the plaintiff to identify its trade secrets with particularity and after deposing the plaintiff, the case settled favorably for our clients.

- *Machine Zone, Inc. v. Kabam, Inc.* (San Francisco Superior Court 2015). We successfully defended software publisher and developer **Kabam** in a trade secret infringement suit brought by rival Machine Zone. After the firm defeated two successive efforts by Machine Zone to obtain temporary restraining orders against Kabam, Machine Zone dismissed the case through settlement.

- *Lilith Games (Shanghai) Ltd. v. uCool, Ltd and uCool, Inc.* (N.D. Cal. 2015). We represented software publisher **uCool**, whose award winning game *Heroes Charge* was accused of trade secret misappropriation and copyright infringement. After we successfully defeated Lilith's attempts to obtain a preliminary injunction against the *Heroes Charge* game pending the trial on the merits, the case settled on favorable terms.

- *craigslist, Inc. v. eBay Inc., eBay Domestic Holdings, Inc., Pierre Omidyar, and Joshua Silverman* (San Francisco Superior Court 2015). We obtained a favorable settlement on behalf of **eBay**, along with its **founder** and a **former executive**, in a state court action alleging trade secret misappropriation, unfair competition, trademark infringement, and breach of fiduciary duty, among other claims. Craigslist alleged that eBay used its 28.4% ownership interest in craigslist (and the associated board seat) to gather confidential information used to launch eBay's own competing classified ads platform. In 2014, after years of litigation with craigslist, eBay (previously represented by another firm) brought in Quinn Emanuel as co-counsel as this action approached a 2015 trial date. With Quinn Emanuel as counsel for eBay, the parties resolved their dispute in advance of trial on terms that included craigslist buying back eBay's entire ownership interest.

- *Genband LLC v. Metaswitch Networks* (E.D. Tex. 2014). We defended our client **Metaswitch** against trade secret misappropriation claims when former employees of Genband were recruited by Metaswitch. Genband alleged that the employees brought confidential trade secrets to Metaswitch during the transition relating to Voice-over-IP infrastructure equipment and related software. We won a motion to dismiss all trade secret claims a few weeks before trial for lack of subject matter jurisdiction.
- *Fortinet Inc. v. Sophos Group PLC* (N.D. Cal 2014). We represented **Fortinet** as the plaintiff in wide-ranging patent and trade secret dispute with its competitor Sophos and certain former employees. The dispute included parallel proceedings in the N.D. Cal, JAMS arbitration, the District of Delaware and three *inter partes* reviews before the PTAB. In the JAMS arbitration, we successfully convinced the arbitrator that one former Fortinet employee had engaged in "despicable," "deceitful and malicious" conduct, resulting in an award in favor of Fortinet for actual damages, punitive damages and attorneys' fees. The parties settled shortly before trial in the N.D. Cal case on Fortinet's trade secret and patent infringement claims, with the competitor agreeing to make a confidential one-time payment to Fortinet.

- *Perlan Therapeutics Inc. v. Ansun BioPharma, Inc. (formerly known as NexBio, Inc.)* (San Diego Superior Court 2014). We defended **Ansun** in a trade secret misappropriation and breach of fiduciary duty dispute concerning flu treatment technology. Perlan claimed that the founders of Ansun, who also founded Perlan, invented the flu technology while employed at Perlan and misappropriated the technology by leaving to form Ansun to develop the novel therapeutic. Ansun counterclaimed for breach of license agreement on a technology related to the common cold that Perlan failed to develop. After nine years of

litigation, the parties settled on terms that allowed Ansun to continue developing its novel flu therapy.

- *Gotham City Online, LLC v. Art.com, Inc.* (N.D. Cal. 2014). We represented **com** in a case brought by Gotham City Online that alleged trade secret misappropriation, among other claims. We defeated plaintiff's request for a temporary restraining order, successfully disqualified opposing counsel for using Art.com's privileged documents to prepare Gotham's case and effectively shut down the dispute, which was subsequently dismissed.

- *Schroeder, Rendezvoo LLC and Skoop Media v. Pinterest, et al.* (New York Supreme Court—Commercial Division 2014). We represented social networking service **Pinterest** in a trade secret misappropriation action filed by an alleged former business partner of Pinterest's first investor. The suit alleged that the idea for the successful Pinterest website was originally developed by plaintiffs and later stolen from them by Pinterest's first investor. Plaintiffs further alleged that the investor gave the idea to the Pinterest founders who then used the ideas to develop the website pinterest.com. We moved to dismiss all of plaintiffs' claims against Pinterest. After briefing, the court granted our motion to dismiss on Pinterest's behalf in its entirety.

- *Viasat v. Space Systems/Loral* (S.D. Cal. 2014). In a patent infringement and breach of contract action, our client, **Viasat**, had developed trade secrets that one of its manufacturers misappropriated; however, by the time we were retained, the statute of limitation on a trade secrets claim had expired. We therefore framed the trade secrets claims as a breach of the NDA. Because of the overlap in those claims, we still litigated all the typical trade secret issues and, at trial, obtained a $123 million verdict on the breach claim, alongside a $180 million patent infringement verdict.

- *Mattel, Inc. v. MGA Entertainment Inc., et al. (and consolidated actions)* (9th 2013). On behalf of **Mattel**, we obtained a complete reversal by the Ninth Circuit Court of Appeals of a $172.5 million judgment entered against Mattel following a jury verdict on a trade-secrets misappropriation claim raised by toy company MGA Entertainment. The Ninth Circuit agreed with Mattel that MGA's trade secrets claim, which was raised as a novel "counterclaim-in-reply," was improper because it was not a "compulsory" response to any claim Mattel had raised and the claim therefore "should not have reached this jury." The Ninth Circuit vacated the jury verdict and remanded the claim to the district court with instructions that it be dismissed. The victory for Mattel was named one of the year's most significant appellate decisions in the legal press.

- *AeroManagement, Inc. v. Sukhoi Civil Aircraft Co., Alexander Pimenov, Victor Olenin, and Luigi de Franceso* (S.D.N.Y. 2013). We represented one of the largest Russian jet manufacturers, **Sukhoi Civil Aircraft**, and three of its senior officers in a trade secret misappropriation, breach of contract and copyright infringement suit filed by AeroManagement. Plaintiff claimed it provided interior design plans for the Sukhoi Super Jet and our client intended to commercially exploit those plans without paying for them. AeroManagement sought an expedited preliminary injunction to prevent our client from displaying its jet at the Moscow Air Show, one of the biggest air shows in the world. After we cross-examined the plaintiff's CEO at the preliminary injunction hearing, the court denied the preliminary injunction motion, allowing our client to display its jet at the Moscow Air Show.

- *Wamco Inc. v. Oshino Lamps, Ltd. et al.* (Orange County Superior Court 2013). We defeated a motion to enjoin **Oshino Lamps**, the fledgling U.S. distributor and subsidiary of a Japanese manufacturer, and two independent contractors from selling manufacturer's product in the United States on the basis of alleged trade secret misappropriation.

- *Dassault Systems Solid Works v. Mat Andresen and Rod Walker* (D. Mass 2013). We represented **Solid Works** in a computer and customer theft case against a former employee and his colleague, which resulted in preliminary and permanent injunctions as well as damages awards against both defendants.

- *Maxwell Technologies, Inc. v. Linda Zhong, Jacky Au, Harbin Jurong and New Power Co, Ltd.* (San Diego Superior Court 2012). We obtained a TRO, preliminary injunction and permanent injunction against our client's former chief scientist who had been recruited and paid by a Chinese company to misappropriate our client's trade secrets and confidential information (both in the U.S. and in China) in order to develop a product that directly competed with our client **Maxwell Technologies**' ultra-capacitor products.

- *United States of America v. Elliot Doxer* (D. Mass. 2011). One of our partners that previously served as a U.S. Attorney for the District of Massachusetts prosecuted an individual for stealing trade secrets from Akamai and providing them to an undercover agent posing as an Israeli intelligence officer. The trade secrets consisted of confidential business information, including Akamai's entire customer list and highly confidential information about contract terms.

- *Trust Company of the West, et al. v. Jeffrey Gundlach, et al.* (Los Angeles Superior Court 2010). We represented **Trust Company of the West** ("TCW") in a lawsuit against its former portfolio manager Jeffrey Gundlach and his new company, DoubleLine Capital. After a two-month jury trial, we obtained a jury verdict finding in favor of TCW on its claim for theft of trade secrets and related claims.

- *INVISTA S.à r.l., et al. v. Rhodia S.A.* (3d Circuit 2010). On behalf of Koch Industries' **Invista** subsidiaries, we enabled a Delaware state court trade secret action by Invista to proceed against French chemicals firm Rhodia S.A., despite Rhodia's efforts to dismiss or stay the action in favor of a French arbitration proceeding. We defeated Rhodia's motion and then won in the Third Circuit dismissal of Rhodia's appeal as moot, using the foreign arbitrator's ruling issued during the course of the appeal to show that Rhodia was not a proper party.