



Robert G. Abrams

Co-Chair, Global Litigation

Robert (Bob) Abrams is Co-Chair of Howrey’s Global Litigation practice, a Fellow of the American College of Trial Lawyers, and has over 30 years of trial experience in cases involving antitrust, patents, trade secrets, dealer terminations, contract disputes, tortious interference and environmental issues. In recent years, Mr. Abrams has been lead counsel in lengthy jury trials focusing on, among other claims, antitrust, patent misappropriation and conversion, and copyright infringement. He was also co-counsel in a class action involving substantial and complex contract issues that was tried—and then retried—to a jury. Over his career, Mr. Abrams also was lead counsel in numerous other bench and jury trials and in governmental investigations initiated by DOJ, EPA and the California Air Resources Board.

Robert G. Abrams

1299 Pennsylvania Ave NW
Washington, DC 20004
t. +1 202.383.6935
f. +1 202.383.6610

AbramsR@howrey.com

ADMISSIONS

District of Columbia

EDUCATION

George Washington University
Law School (JD, 1972), *cum laude*

*George Washington University
Law Review*, Managing Editor
(1971-72)

Colgate University (BA, 1968)

CLERKSHIP

Hon. William E. Doyle, United
States Court of Appeals for the
Tenth Circuit (1972-1973)

In the appellate area, Mr. Abrams has argued in most of the US Courts of Appeal. Most recently, Mr. Abrams argued before the Ninth Circuit, which affirmed the lower court’s dismissal of a highly publicized suit under the Alien Torts Claims Act: *Corrie v. Caterpillar Inc.*, No.05-36210, DC No. CV-05-05192-FDB (9th Cir. Sept. 17, 2007).

REPRESENTATIVE MATTERS

- *HotSamba Inc. v. Caterpillar Inc.* Plaintiff HotSamba sought damages of more than \$420 million from Caterpillar based on claims of breach of a software license agreement, copyright infringement and misappropriation of trade secrets. Caterpillar pursued counterclaims of \$2 million for breach of contract and fraud. The jury returned a verdict in favor of HotSamba for \$5.5 million and in favor of Caterpillar for \$500,000.
- *Caterpillar Inc. v. Sturman Industries et al. (Sturman Jury Trial I)*. Caterpillar filed suit alleging ownership and inventorship of patents issued to Sturman, misappropriation of trade secrets and conversion of various patent rights. The jury found for Caterpillar, and the court ordered a constructive trust imposed over the two patents and ordered Sturman to specifically perform the contract by assigning to Caterpillar the entire right, title and interest in both patents and the applications from which they were derived.
- *Caterpillar Inc. v. Sturman Industries et al. (Sturman Bench Trial)*. During the first jury trial, after the jury left for the day, the court conducted a bench trial regarding Sturman’s inventorship claim involving a Caterpillar patent. The trial court rendered a decision in Sturman’s favor, with no money damages. Caterpillar appealed, and

Robert G. Abrams

1299 Pennsylvania Ave NW
Washington, DC 20004
t. +1 202.383.6935
f. +1 202.383.6610

AbramsR@howrey.com

the Federal Circuit reversed and rendered judgment in Caterpillar's favor.

- *Caterpillar Inc. v. Sturman Industries et al. (Sturman Jury Trial II)*. After a prior jury verdict was reversed and remanded for a new trial, the jury again found for Caterpillar and the district court again ordered a constructive trust imposed over the two patents, and further ordered Sturman to specifically perform the contract by assigning to Caterpillar the entire right, title and interest in the two patents and the applications from which they were derived.
- *Allapattah Services, Inc. et al. v. Exxon Corp.* Represented Exxon in a class action brought by service station dealers alleging breach of contract involving Exxon's Discount for Cash Marketing Program. The plaintiffs sought \$1 billion in damages, including interest. The first trial of this case resulted in a hung jury; the retrial resulted in a verdict for the plaintiffs.
- *Godix Equipment Export Corp., et al. v. Caterpillar Inc.* Plaintiffs alleged violations of Sherman Act sections 1 and 2, claiming that Caterpillar dominated the replacement parts business for Caterpillar machines by eliminating parts competitors while seeking to raise prices. The court directed a verdict in favor of Caterpillar on the antitrust claims, and the jury returned a verdict for Caterpillar on the remaining state law claims. The verdict was affirmed on appeal.

COURTS & ADJUDICATIVE BODIES

- United States District Court for the District of Colorado
- United States District Court for the District of Columbia
- United States Court of Appeals for the First Circuit
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Third Circuit
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Sixth Circuit
- United States Court of Appeals for the Seventh Circuit
- United States Court of Appeals for the Ninth Circuit
- United States Court of Appeals for the Tenth Circuit
- United States Court of Appeals for the Eleventh Circuit
- United States Court of Appeals for the Federal Circuit
- United States Court of Federal Claims
- United States Supreme Court

Robert G. Abrams

1299 Pennsylvania Ave NW
Washington, DC 20004
t. +1 202.383.6935
f. +1 202.383.6610

AbramsR@howrey.com

PROFESSIONAL AFFILIATIONS

- Fellow, American College of Trial Lawyers
- Member, American Bar Association, Litigation, Antitrust, Intellectual Property Litigation Sections

PRO BONO

- Bob Abrams has always been a strong supporter of Howrey's *pro bono* program. Recently he has worked to establish a groundbreaking *pro bono* partnership in which Caterpillar in-house attorneys and Howrey attorneys work together on matters for *pro bono* clients. He was also the co-chair of the *Pro Bono* Institute's Annual Gala in 2007.