



**Ben M. Davidson**

Partner

Ben Davidson specializes in all aspects of intellectual property litigation, related complex litigation and counseling. He has successfully represented Fortune 500 corporations in patent infringement litigation involving a wide spectrum of technologies. He has also successfully litigated cases involving copyright infringement, trademark infringement, idea submissions, dilution, unfair competition, breach of contract, securities, antitrust and insurance coverage issues.

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**ADMISSIONS**

California

**EDUCATION**

George Washington University  
Law School (JD, 1995), *Order of the Coif, with highest honors*

George Washington University  
*Law Review, Member (1995)*

Union College (BSEE, 1990)

Mr. Davidson has been recognized by Law & Politics magazine as a "Southern California Super Lawyer Rising Star" in the field of intellectual property litigation. In 2003, Mr. Davidson was named "Advocate of the Year" by Public Counsel for successfully serving as trial counsel in a political asylum case on behalf of a torture victim. Mr. Davidson has served as a deputy prosecutor for the City of Anaheim through the Los Angeles County Bar Association's Trial Advocacy Project, where he prosecuted a number of criminal matters through verdict.

Before completing law school, Mr. Davidson served as a patent examiner with the U.S. Patent & Trademark Office, where he examined applications involving power regulation and power conversion technology. Mr. Davidson has prepared and prosecuted patent and trademark applications and continues to advise clients in Patent Office proceedings involving reexaminations of patents that are the subject of concurrent district court litigation.

**REPRESENTATIVE MATTERS**

- *Litigation involving copyright and idea submission issues.* Obtained a dismissal of all claims as lead counsel for Sir Sean Connery and a major motion picture studio in copyright infringement and idea submission litigation relating to a blockbuster movie.
- *Patent infringement regarding GPS technology.* Lead counsel in representation of a leading advertising company accused of inducing infringement of patents on technology for delivering advertising on GPS monitors. Obtained dismissal of all claims.
- *Patent infringement litigation regarding compact disc technology.* Represented a leading consumer electronics company and its licensing entity in a trial leading to a judgment of infringement of patents on compact disc technology and a dismissal of antitrust counterclaims.
- *Patent infringement regarding internet advertising technology.*

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Counsel for an internet advertising company in a patent infringement/antitrust litigation involving methods for delivering, targeting and measuring the effectiveness of Internet advertisements. The matter was settled favorably before trial on client's claim that the defendant's patent was unenforceable because of inequitable conduct. Also counsel for Fortune 100 entertainment company in litigation between Amazon.com and Cordance involving a patented method of facilitating online shopping.

- *Patent infringement litigation regarding control system technology.* Represented a Fortune 100 entertainment company in a lawsuit regarding a patented control system technology for amusement rides. Obtained a favorable resolution of the case after prevailing on claim construction motions.
- *Patent infringement litigation regarding Diesel engine technology.* Represented a Fortune 100 company in a patent infringement case involving methods of operating internal combustion engines for reducing pollution.
- *Trademark infringement, dilution and cybersquatting defense.* On behalf of a real estate developer, manager and broker, obtained a complete summary judgment defense on a law firm plaintiff's infringement, cybersquatting and dilution claims, along with a partial award of the developer's attorneys' fees and costs.
- *Patent infringement litigation regarding exercise device patents.* Obtained preliminary injunctions on behalf of owners of patented technology for a well-known abdominal exercise device in a series of lawsuits against national retail chains and infomercial companies that were selling infringing products.
- *LASIK Surgical Equipment.* Defended manufacturer of LASIK surgical equipment in patent infringement lawsuit. Obtained favorable settlement after bringing counterclaim for *Walker-Process* antitrust violation.

## COURTS & ADJUDICATIVE BODIES

- United States Court of Appeals for the Federal Circuit
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Central District of California
- United States District Court for the Northern District of California
- United States District Court for the District of Arizona
- United States District Court for the Western District of Wisconsin
- United States Patent and Trademark Office

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## PROFESSIONAL AFFILIATIONS

- Member, American Intellectual Property Law Association
- Member, Japan America Society
- Member, Los Angeles County Bar Association

## PUBLICATIONS & SPEAKING ENGAGEMENTS

### ARTICLES

"Unfair Competition Disputes Based on False Attribution of Creative Content." *ABA Section of Litigation Business Torts Journal* (Fall 2009).

"FTC files "greenwashing" charges against three companies based on eco-friendly advertising claims." *Global Climate Law Blog* (June 12, 2009).

"California Clean Truck Programs not enjoined by court despite anticompetitive concerns raised by Federal Maritime Commission." *Global Climate Law Blog* (April 22, 2009).

### SPEECHES

"Trends in Intellectual Property Litigation." JAMS (July 2006).  
Roundtable speaker.

### IN THE NEWS

"Weighing Obviousness: The U.S. Supreme Court Issues a Decision That May Make It More Difficult to Patent Some Inventions." *C&EN* (June 11, 2007).

"KSR v Teleflex Causes Uncertainty." *IP Law360* (May 2007).

## LANGUAGES

- Farsi
- French
- Basic Conversational Japanese