

Daily Journal

APRIL 6, 2011

Intellectual Property

A Word About this List

Being a paid observer of the legal industry brings us a lot of enriching moments. But the absolute best part about our job is watching brilliant people facilitate creative ideas so that they blossom into real solutions. Nowhere is this more evident than in the intellectual property arena, in which lawyers draft and defend patents, copyrights and trademarks for medical cures, technological innovations and, of course, great entertainment.

This is the fourth year the Daily Journal has published a Top Intellectual Property Lawyers list. In putting it together, editors read hundreds of nominations from lawyers. We also consult Daily Journal reporters who cover this field and read our coverage of the practice.

To qualify, the lawyer must be based in California but his or

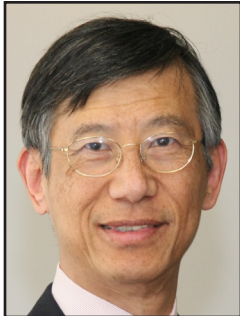
her work can be anywhere. Many of the litigators practice in the Eastern District of Texas but they also have cases in other federal districts and before the Federal Trade Commission in Washington, D.C. Portfolio managers work for companies in every corner of the globe.

The most important criterion for making the list is the impact of the work. How has this work affected an industry or society? Did it create or save jobs? Did it help bring to market a cure? Save a technological innovation?

The result is a lively mix of people doing fascinating work. There are tech gurus, science nerds and glitzy Hollywood folks. Read on. Get to know them.

— The Editors

TOP 75 LEADING IP LITIGATORS



THOMAS T. CHAN

Chan Law Group LLP
Los Angeles

Patent, copyright, trademark, trade secrets

Convincing a judge to invalidate a patent is no easy task; Chan did it twice in the past year.

Chan, chairman and founder of Chan Law Group LLP, won a summary judgment motion against Grand General Accessories Manufacturing Inc., invalidating five of the eight truck light patents the company had accused his client, United Pacific Industries Inc., of infringing. In September, he persuaded Grand General to accept a consent judgment invalidating all eight patents and pay his client six figures to avoid an appeal.

In January, the 9th U.S. Circuit Court of Appeals upheld, 2-1, an order granting motion for summary judgment invalidating three utility lighter patents held by Tokai Corp., which sued Chan's client, Easton Enterprises Inc., claiming patent infringement. Chan said Tokai failed to disclose relevant pre-existing technology to the patent examiner, rendering obvious the design of child-safety mechanisms on the lighters and therefore making the patent invalid. "This will encourage patent lawyers to write better patent applications," Chan said.

He has long been a prolific intellectual property attorney. In the late 1980s, he helped start the Business Software Alliance, an industry trade group that fights software piracy, which was hurting overseas sales.

"The problem was very serious," Chan said. "U.S. software companies really couldn't make money outside the U.S. We moan and groan now, but at that time, it was even worse. It was hopeless."

In the late 1990s, Chan said he filed the first successful antitrust lawsuit against Microsoft Corp. on behalf of a small firm that made computer mice. Suing Microsoft became a lucrative practice for Chan, who filed roughly 20 lawsuits on behalf of various vendors against the software giant.

"My house and my children's private school education were gratis Bill Gates."

— Brandon Ortiz