

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

Jill M. Pietrini

FIRM:
Sheppard, Mullin, Richter & Hampton LLP

CITY
Los Angeles

SPECIALTY
Trademark



Pietrini won two rulings in unrelated cases from the 9th U.S. Circuit Court of Appeals in February. She convinced a three-judge panel

to affirm a jury verdict and awards of \$1 million in damages and \$1.5 million in attorney fees for *Fifty-Six Hope Road Music Ltd.*, an entity owned by the children of reggae singer Bob Marley *Fifty-Six Hope Road Music, Ltd. et al v. A.V.E.L.A.. Inc. et al*, 2015 DJDAR 2001.

Fifty-Six won a 2010 verdict against several defendants who sold T-shirts and merchandise with Marley's likeness to large retailers such as Target Corp. and Wal-Mart Stores Inc.

The defendants had argued at the 9th Circuit that plaintiffs could not pursue a false endorsement claim under the Lanham Act to protect a deceased celebrity's image.

The appellate panel disagreed and determined that the key issue was whether there was a likelihood of confusion that the Marley family sponsored the defendant's merchandise.

The panel denied the appellant's motion to rehear the case this month.

"I'm sort of an old-school IP lawyer," Pietrini said. "I work on trademark registrations and [Trademark Trial and Appeal Board] challenges and state and federal lawsuits all the way up to the 9th Circuit."

A different three-judge panel affirmed a preliminary injunction against Lifewatch Inc. in February, granting a win for Pietrini's client Life Alert Emergency Response Inc.

Both companies sell medical alert devices and monitoring services. U.S. District Judge John A. Kronstadt in Pasadena determined that Lifewatch telemarketers were allegedly using Life Alert's trademarked slogans, including "Help, I've Fallen and I Can't Get Up."

— Kevin Lee