

## Privacy & Intellectual Property

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Intellectual property law is vast and includes the areas of patents, licensing, trademarks, copyrights and trade secrets. Located in Silicon Valley, CPM represents individuals, inventors and businesses in protecting their intellectual property through prosecution and defense of these matters.

Given the escalated competitive environment caused by the rapid change in technology in the fields of semi-conductors, telecom, bio-sciences, consumer electronics, computer-science, software, business methods and medicine, the attorneys and staff at CPM pride themselves on staying abreast of these changes to best serve clients. This includes the firm actively engaging industry leaders and innovators located in the firm's own backyard, plus speaking and publishing on the topic of intellectual property.

In addition, CPM has a sophisticated antitrust and complex business litigation expertise that complements its patent litigation and trade secret practice, especially when monopolization based on fraud (e.g. *Walker Process*) defenses are warranted. The expertise in these subject areas, coupled with the firm's extensive trial experience, has provided our clients with the ability to aggressively assert their rights in the courtroom.

Our cases range from one of the first lawsuits ever filed for Internet copyright infringement in 1998, to its successful defense in trial of MP3.com, to the successful prosecution of a complex business case involving WaveWare Communications of San Diego and its groundbreaking Code Division Multiple Access (CDMA) digital wireless technology.

For further information regarding privacy and intellectual property, please follow up with Mark Molumphy or Adam Zapala.

### Key Contacts

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### Noteworthy Cases

#### ***Exigen Properties, Inc., et al. v. Genesys Telecommunications Laboratories, Inc.***

##### San Mateo County Superior Court

CPM is prosecuting an action on behalf of Exigen Properties and several other companies. The case centers on the misappropriation of Exigen's proprietary information and trade secrets, including application hosting technology.

#### ***2KDirect, Inc. v. Azoogles US, Inc., et al.***

##### USDC, Central District of California

CPM represented a small start-up technology company against an online advertising network in a lawsuit alleging trade dress infringement, breach of contract, and misappropriation of technology used for serving banner advertisements across the internet. The case settled favorably one day before jury selection.

#### ***Kendall-Jackson Winery v. E&J Gallo Winery***

##### U.S. District Court, Northern District of California

CPM represented Gallo in a trade dress and unfair business practice litigation. (Judgment and verdict for Gallo after jury trial.)

#### ***MP3.Com Copyright Cases***

##### Southern District of New York

Multiple cases alleging that MP3.Com committed copyright infringement. Issues of infringement and damages. (Verdict after jury trial.)

PRIVACY & INTELLECTUAL PROPERTY

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## ***Dolores Huerta et al v. Corbis Corporation***

**U.S. District Court, Northern District of California**

CPM represented Dolores Huerta, muralists Susan Kelk Cervantes and Juana Alicia, and the United Farm Workers Union of America, against Corbis for the illegal sale of copyrighted and trademarked images.

## **News**

Google Faces Lawsuit Alleging Privacy Rights Violations  
*NBC Bay Area*, 05.07.2021

Google sued for selling user data despite claims the company does not  
*San Francisco Chronicle*, 05.06.2021

Lawsuit Seeks to Stop Google from Secretly Selling Americans' Private Information Without Informed Consent  
05.05.2021

CPM Partner and Privacy Law Expert Adam Zapala speaks at the Bar Association of San Francisco's Cybersecurity and Privacy Law Conference  
10.24.2019

CPM Announces \$17 Million Settlement for Purchasers of VIZIO Smart TVs Over Privacy Violations  
2019

Court Upholds CPM Clients Consumers' Claims that Vizio Unlawfully Collects and Uses Private Consumer Data Collected through its Smart TVs in Cutting-Edge Privacy Case  
2017

CPM Client Lefty O'Doul's Files Lawsuit Against the Handlery Family for Trademark Violation  
01.20.2017

CPM Files Cutting Edge Privacy Case

CPM Awarded Co-Lead Counsel in Lenovo MDL Case  
*Law360*, 07.28.2015