

# Daily Journal

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## TOP INTELLECTUAL PROPERTY ATTORNEYS in California for 2016

When we're listening to pre-1972 music on rotation in our smartphones or reaching for a ketchup bottle at lunch, intellectual property doesn't come to mind. But these are just a few examples of the work behind the California attorneys we chose on our list for their efforts protecting the intellectual property belonging to companies of all sizes across the country and around the world.

As technology makes vast improvements year after year across the industry spectrum, intellectual property attorneys — litigators and patent prosecutors — are rolling up their sleeves to stay ahead of the game. In California, established Silicon Valley and booming Silicon Beach have created global hubs for such innovation to take place in on-demand services, social media, health care, consumer technology and other various fields. But the fight to protect patents, copyrights and trademarks can start on a local court level and move to the appellate courts, while also heading to the U.S. Patent and Trademark Office, the U.S. International Trade Commission and the U.S. Supreme Court.

Intellectual property attorneys face many hurdles as they try to protect the branding of companies for consumers and a range of venues for those who want to protect their innovations. The attorneys in this issue took those challenges head-on and pushed technological progress forward.

—The Editors

### Ian C. Ballon

FIRM  
**Greenberg Traurig LLP**

CITY  
**East Palo Alto, Los Angeles**

SPECIALTY  
**IP litigation**



**B**allon writes, teaches and litigates. He's the author of the authoritative 4-volume "E-Com-

merce and Internet Law: Treatise With Forms," currently in its second edition.

He is also the executive director of Stanford University Law School's Center for E-Commerce and co-chair of Greenberg Traurig's global intellectual property and technology practice group.

Ballon and his team defended eBay Inc. in patent litigation in a case involving users' sale of allegedly infringing exercise equipment on the eBay.com website.

eBay was dismissed as a defendant on April 15, less than two months after the case was filed. *Kore Extreme LLC v. M-F Athletic Co.*, 16-CV02493 (N.D. Ill., filed Feb. 22, 2016)

He served as lead counsel in defending Crunch San Diego LLC, defeating a potential class action in a precedent-setting case on the definition of the term "Automated Telephone Dialing System" under the Telephone Consumer Protec-

tion Act of 1991.

The case involves the scope of the Federal Communications Commission and what constitutes human intervention.

The case is currently at the 9th U.S. Circuit Court of Appeals, where it was briefed in 2015 and early 2016. Oral argument has not yet been scheduled. *Marks v. Crunch San Diego LLC*, 55 F. Supp. 3rd 1288 (S.D. Cal., filed April 4, 2014)

Following the U.S. Supreme Court's *Alice Corp. v. CLS Bank International* decision in 2014 invalidating certain computer patents due to their abstract nature, he said, "As someone who frequently defends service providers in secondary liability cases, I have seen more copyright and trademark troll cases as plaintiff's lawyers refocus their efforts in light of *Alice*."

— John Roemer