



Patricia L. Peden

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PRACTICES

Intellectual Property

Litigation

EDUCATION

J.D., University of California,
Berkeley Boalt School of Law

B.A., summa cum laude,
University of Alaska, Anchorage

ADMISSION

State Bar of California

United States Court of Appeals
for the Ninth Circuit

United States Court of Appeals
for the Federal 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 Southern District of
California

United States District Court for
the Eastern District of Texas

AFFILIATIONS

Adjunct Professor, University of
Arkansas School of Law, Trial
Evidence Advocacy

Chair, PLI's California Trial
Evidence Program (2014 -
2017)

Edward J. McFetridge American

Pronouns: she, her, hers

Patricia Peden is a seasoned trial attorney and member of Burke's **Intellectual Property** Practice Group. Her practice focuses on litigating patent infringement cases, trade secret litigation, and other complex commercial **litigation**. In addition to bringing to the table a deep knowledge of substantive legal doctrines, Patricia offers clients solid business judgment and an unwavering commitment to client service.

Patricia understands cases are won by hard work, creative thinking and mastery of the law and facts. She litigates with an eye toward trial, allowing her to make cost-benefit judgment calls during discovery based on what is truly needed for a successful result. Patricia maximizes early case planning to ensure litigation costs are proportional to case value. And she understands the importance of teamwork and communication. She strives to provide her clients with clear, concrete solutions to complex legal problems.

Patricia has extensive federal court experience. She clerked for two federal judges, the Honorable David Folsom in the Eastern District of Texas and the Honorable Richard C. Tallman at the Ninth Circuit Court of Appeals. She has litigated disputes ranging from large, complex cases with multi-million-dollar damage claims to smaller suits between private parties. Her patent infringement cases have involved a wide range of technologies, including cellular telephony, recombinant human erythropoietin, LED technology, Wi-Fi, various chipsets, software and business methods, to name a few. She has litigated non-compete agreements and trade secret disputes. She has substantial experience litigating cases in the Eastern District of Texas, the Northern District of California, and other magnet venues for intellectual property disputes. Patricia has considerable experience with complex commercial cases involving trade secrets and non-compete agreements, copyright, trademark, antitrust, fraud, breach of contract, business torts, and defamation.

Patricia also maintains an active appellate practice.

Inn of Court , Barrister
Ninth Circuit Court of Appeal's
Pro Bono Program: Volunteer
Appellate Counsel

RECOGNITIONS

Listed in The Best Lawyers in America® in the fields of Litigation - Intellectual Property, 2019

REPRESENTATIVE MATTERS

- *Balsam Brands Inc. et al v. Cinmar, LLC et. al* (N.D. Cal.). Lead counsel representing defendants in patent infringement litigation. Successfully defeated Plaintiffs' claims on summary judgment.
- *In the Matter of Certain Wireless Headsets (ITC)*. Lead counsel representing foreign manufacturer of bluetooth headsets accused of patent infringement.
- *Nextpulse LLC v. Brunswick Corp.* (Cal.). Lead counsel representing defendant in complex breach of contract and fraud litigation.
- *Sabre v. Shan*. Lead counsel representing defendant in litigation involving breach of non-compete agreement and trade secret misappropriation.
- *Rothschild Connected Devices Innovations, LLC v. Q-See a/k/a Digital Peripheral Solutions, Inc.* (E.D. Tex.). Lead counsel representing defendant in patent infringement litigation.
- *Blue Spike, LLC v. wywy Inc.* (E.D. Tex.). Lead counsel representing defendant in patent infringement litigation. Successfully settled case on terms very favorable to client.
- *Plantronics Inc. v. BlueAnt Wireless Pty., Ltd. et al* (N.D. Cal.). Lead counsel representing defendant in patent infringement litigation. Case successfully settled.
- *Vieste, LLC et al. v. Hill Redwood Development Ltd. et al.* (N.D. Cal.) Lead counsel representing plaintiffs in breach of contract and fraud case stemming from a failed real estate development project. Case successfully settled after plaintiffs won several sanctions motions and a Daubert motion to exclude defendants' expert witness.
- *SyncPoint Imaging LLC v. PixArt Imaging, Inc., et al.* (E.D. Tex). Represent defendant manufacturer of CMOS device used in Wii game controller in patent infringement and breach of contract action.
- *TEK Global S.R.L. v. Sealant Systems International, Inc.* (N.D. Cal.). Represented Plaintiff and counterclaim defendant in patent infringement litigation.
- *Componex Corporation v. Electronics For Imaging, Inc.* (W.D. Wis.). Represented Defendant in patent infringement litigation relating to printer rollers.
- *CSIRO v. Cisco Systems Inc.* (E.D. Tex.). Represented the Australian government's science agency (CSIRO) in litigation for infringement of CSIRO's patented LAN technology (commonly referred to as Wi-Fi). CSIRO received favorable damages award following a bench trial.

- *Freedom Medical, Inc. v. Premier Purchasing Partners, LP, et al.* (E.D. Tex.) Represented Freedom Medical in antitrust suit alleging defendants conspired to block competition in a growing market for medical equipment rentals. Case successfully settled.
- *Mobile Micromedia Solutions Litigation* (E.D. Tex.) Represented plaintiff in multiple patent infringement actions involving automotive electronics. Cases reached successful settlements with industry leaders taking patent licenses.
- *800 Adept Inc. v. AT&T Mobility LLC et al.* (E.D. Tex.) Represented plaintiff in patent infringement action involving call-routing technology. Case successfully settled.
- *O2 Micro Litigation* (N.D. Cal. and E.D. Tex.) Represented plaintiff O2 Micro in multiple patent infringement actions enforcing patent rights to power control circuitry for LCD screens. Jury trial in Marshall, Texas resulted in finding of willful infringement and an injunction in favor of O2.
- *Selectica, Inc. v. Trilogy Software, Inc. et al.* (E.D. Tex.) Represented Selectica, Inc. in patent infringement litigation against Trilogy, Inc. regarding online product configuration technology. Case successfully settled.