



## Mark Samuels

Partner

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Mark Samuels counsels leading technology and other innovative companies on some of their most challenging intellectual property matters. Mark founded O'Melveny's Intellectual Property & Technology practice group more than two decades ago and served as its Chair for several years. He focuses his practice on patent, trade secrets, copyright, trademark, and technology-intensive litigation, including cases poised at the intersection of patent and antitrust law. A Vice Chair of the firm and one of its most accomplished trial lawyers, his successes include serving as lead counsel for AMD in history-making litigation against Intel Corporation, which resulted in a record-breaking US\$1.25 billion payment by Intel to AMD.

Mark is consistently recognized as a leading intellectual property practitioner by *Chambers USA*; as one of California's top patent litigators by the *Daily Journal*; as one of America's 500 top lawyers by *Lawdragon 500*; and as one of the "Best Lawyers in America" by *Best Lawyers*. In recommending Mark, *Chambers USA* quotes a source describing him as "extremely responsive and client-centric as well as being a superb litigator."

### Experience

- **Top Victory Electronics** in *Top Victory Electronics v. Hitachi Ltd.*, a patent infringement action involving patents related to CRT and LCD computer display technology
- **Top Victory Electronics** in *Top Victory Electronics v. Hitachi Ltd.*, a second patent infringement case involving digital television technology

### Admissions

*Bar Admissions*

California

### Education

University of California, Los Angeles,  
J.D., 1982: Order of the Coif; Chief  
Managing Editor, *UCLA Law Review*

University of California, Berkeley,  
B.A., 1979: Phi Beta Kappa

- **Top Victory Electronics** in *In re Certain Digital Televisions and Certain Products Containing Same and Methods of Using Same*, a Section 337 investigation before the U.S. International Trade Commission involving patents related to digital television technology
- **Advanced Micro Devices, Inc.** in *Advanced Micro Devices, Inc. v. Intel Corporation*, an antitrust case involving claims of unlawful monopoly maintenance in the worldwide x-86 microprocessor market, settled in 2009 for a record \$1.25 billion payment by Intel to AMD, as well as other consideration
- **RealPage, Inc.** in *Yardi Systems, Inc. v. RealPage, Inc., et al.*, a case involving alleged misappropriation of trade secrets and copyright infringement, as well as antitrust and interference counterclaims
- **Samsung Electronics Co., Ltd.** and related entities in *ZiiLabs Inc., Ltd v. Samsung Electronics Co. Ltd. et al.*, a patent infringement case involving various aspects of graphics rendering, processing, memory management and virtualization in graphics processing units; the case favorably settled following the final pre-trial conference, a week before jury selection
- **Samsung Electronics Co., Ltd.** and **Samsung Electronics America, Inc.** in *Image Processing Technologies, LLC v. Samsung Electronics Co., Ltd. et al.*, a patent infringement case involving image processing systems
- **Samsung Electronics Co., Ltd.** and related entities in *511 Innovations, Inc. v. Samsung Telecommunications America, LLC et al.*, a patent infringement case involving systems and methods for measuring the colors of objects with a hand-held probe containing fiber-optic sensors; the parties reached a successful settlement just days before trial
- **Samsung Electronics Co., Ltd.** in *Tessera Advanced Technologies, Inc. v. Samsung Electronics Co., Ltd., et al.*, a patent infringement case involving semiconductor devices and technology
- **Samsung Electronics Co., Ltd.** in *In re Wafer-Level Packaging Semiconductor Devices and Products Containing Same (Including Cellular Phones, Tablets, Laptops, and Notebooks) and Components Thereof*, a Section 337 International Trade Commission Investigation initiated by Tessera Advanced Technologies, Inc.
- **Samsung Electronics Co., Ltd.** in *FotoNation Limited et al. v. Samsung Electronics Co., Ltd., et al.*, a patent infringement case involving imaging technologies
- **Top Victory Electronics** in *Mondis Technology Ltd. v. Top Victory Electronics (Taiwan) Co., Ltd., et al.*, a patent infringement case involving digital television and computer monitor technology
- **Top Victory Electronics** in *Funai Electric Co., Ltd. v. TPV Technology, Ltd., et al.*, a patent infringement action involving digital television technology
- **Skechers USA, Inc.** in *Adidas v. Skechers USA, Inc.*, a trademark infringement action involving footwear
- **Skechers USA, Inc.** in *Asics Corporation v. Skechers U.S.A., Inc.*, a trademark infringement case involving footwear designs
- **Skechers USA, Inc.** in *Global Brand Marketing Inc. v. Skechers U.S.A., Inc.*, a patent infringement case involving footwear designs
- **Microsemi Corporation** in *Intellectual Ventures I LLC v. Altera Corporation, et al.*, a patent infringement suit involving Field Programmable Gate Arrays, a type of ASIC

- **Stroz Friedberg, LLC** in *Adiscov v. Autonomy, Inc., et al.*, a patent infringement case involving electronic discovery technology
- **Bourns** in *Bourns, Inc. v. Raychem Corp.*, an antitrust/patent fraud action involving a series of patents related to passive electronic components and also involving claims for trade secrets misappropriation
- Complainants **Gemstar-TV Guide International, Inc.** and **StarSight Telecast, Inc.** in *In Re Certain Set-Top Boxes and Components Thereof*, a § 337 patent infringement investigation before the U.S. International Trade Commission involving four patents covering interactive television program guides
- **Gemstar-TV Guide International, Inc.** in *In re Gemstar Development Corporation Patent Litigation*, a series of related patent infringement and antitrust actions
- **IBM** in *Davin Computer Corp. v. IBM*, a misappropriation of trade secrets and unfair competition case involving processing of instructions in personal computers
- **IBM** in *IBM v. Conner Peripherals, Inc.*, a massive series of litigations in two federal courts and before the U.S. International Trade Commission involving 18 patents covering a broad array of computer disk drive technologies
- **IBM** in *MIU Automation Corp. v. IBM*, a patent infringement case involving an encryption device
- **Internet Machines Corporation** in *Alcatel Internetworking v. Internet Machines Corporation*, a misappropriation of trade secrets case involving integrated circuits used in network switches
- **Milestone Entertainment, LLC** in *Sande Stewart Television, Inc. v. Milestone Entertainment, LLC*, a patent infringement case involving novel games of chance
- **Motorola** in *Power Integrations v. Motorola, Inc.*, a patent infringement action involving power supply voltage regulatory circuits
- **Nuance Communications, Inc.** and **Phonetic Systems Ltd.** in *Nuance Communications, Inc., et al. v. Tellme Networks, Inc.*, a patent infringement case involving speech recognition software
- **Sempra Energy** in *CBSI v. Sempra Energy*, a case involving a large software development project
- **Actel Corporation** in *Actel Corporation v. BTR, Inc.*, a case involving claims of patent infringement and trade secrets misappropriation relating to a type of integrated circuit known as a Field Programmable Gate Array
- **Actel Corporation** in *Actel v. QuickLogic Corporation*, a patent infringement and misappropriation of trade secrets case involving 10 patents covering a type of integrated circuit known as a Field Programmable Gate Array
- **Actel Corporation** in *Unisys v. Actel Corporation*, a patent infringement case involving semiconductor process technology
- Plaintiffs **Carla Woods** and **Jeffrey Goldberg** in *Woods, et al. v. Boston Scientific Corporation*, a corporate governance case involving the right to control an innovative medical device company known as Advanced Bionics
- **Sweda Company LLC** in *Lin v. Sweda Company LLC*, a patent infringement suit involving novelty keyboard brushes
- **TPE Associates** in *TPE Associates v. Flick*, a patent infringement action involving a non-toxic, pest eradication system

- **Luppen Holdings, Inc.** in *Luppen Holdings, Inc. v. Pitney Bowes Inc.*, a trademark infringement suit involving Pitney Bowes' PERSONAL POST OFFICE and PERSONAL POST postage systems

## Professional Activities

### Member

- American Bar Association
- Los Angeles County Bar Association
- American Intellectual Property Law Association
- Federal Circuit Bar Association
- Association of Business Trial Lawyers

### Public Service

- Board of Directors, Doheny Eye Institute (2016-present)
- Board of Directors, Public Counsel (2009-present)
- Los Angeles Superior Court Arbitration Panel (2002-09)
- ABA Litigation Section Liaison to Task Force on Reduction of Litigation Cost and Delay (2004)
- Board of Directors, UCLA School of Law Alumni Association (several terms)
- Board of Directors and Treasurer, Flintridge Riding Club (past)

### Speaker

- "Trends in ITC Practice," Patent Litigation 2012 Symposium, Practising Law Institute (September 27-28, 2012, San Francisco)
- "Trends in ITC Practice," Patent Litigation 2011 Symposium, Practising Law Institute (September 19, 2011, San Francisco)
- "Section 337 and the ITC," Patent Litigation 2010 Symposium, Practising Law Institute (September 2010, San Francisco)
- "Dealing With Experts," Patent Litigation 2009 Symposium, Practising Law Institute (September 21-22, 2009, San Francisco)
- "Section 337 Litigation at the ITC and Other Rocket Dockets," Patent Litigation 2008 Symposium, Practising Law Institute (September 22, 2008, San Francisco)
- "Essentials to Protecting Your Company's Intellectual Property," Institute for Corporate Counsel (March 20, 2003, Los Angeles)
- "Protection of Confidential Business Information," Corporate Raiding Symposium, Practising Law Institute (March 25, 2001, San Francisco)
- "Trade Secrets in the Age of the Internet," American Electronics Institute (June 1998, Woodland Hills)

## Honors & Awards

- Recognized as a Local Litigation Star in Intellectual Property by *Benchmark Litigation* (2020)

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- Recognized by *Best Lawyers*® 2022 for Litigation - Intellectual Property / Patent, and Patent Law in Los Angeles, CA; Mark has been listed in *Best Lawyers*® since 2007 and he has also been named “Lawyer of the Year” (Patent Law) in local jurisdiction (2021)
  - Recognized as a leading attorney in *IAM Patent 1000*
  - “Leading Lawyer,” Intellectual Property, *Chambers USA* (2005-2016)
  - “Super Lawyer,” survey conducted by *Law & Politics Media Inc.*, *Los Angeles* magazine (2005-2015)
  - “Top 75 Intellectual Property Lawyers,” *Daily Journal* (2008-2011; 2013-2015)
  - *LawDragon*’s list of “500 Leading Lawyers” (2010-2011)
  - “PLC Which Lawyer?” Intellectual Property, *Practical Law Company* (2008-2011)