



Alex Reese

Partner

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Alex Reese helps individuals and companies of all sizes resolve disputes involving technology and issues of unfair competition. He has helped clients with pre-litigation counseling and alternative dispute resolution, and he has litigated cases through trial and appeal in matters involving trade secrets, antitrust and unfair competition, employee mobility and non-competition agreements, patent infringement, consumer confusion, copyrights, and more.

His notable engagements have included:

- Winning a multimillion dollar verdict after a six-week trade secrets trial in the Northern District of California. Alex was an integral member of the trial team and handled the direct and cross examinations of several key witnesses.
- Obtaining the largest ever antitrust settlement in California state court history on behalf of a certified class of California companies in a case against healthcare giant Sutter Health for its anticompetitive conduct that has resulted in decades of hospital overcharges. Alex was instrumental in preparing the case and litigating it through discovery and summary judgment.
- Advising and counseling more than ten companies in the data analytics and scraping field following the firm's victory in the precedent-setting case [hiQ Labs v. LinkedIn](#). These clients offer diverse services analyzing social media platform data, including influencer marketing, recruiting tools, lead generation companies, and social media advertising.
- Representing companies and employees in venture capital, agricultural, and other industries in pre-litigation dispute resolution and litigation on employee exits, enforceability of non-compete agreements, and duty of loyalty claims.
- Winning a \$29 million award, including attorneys' fees, in an arbitration on behalf of a director of a venture capital firm in claims against the firm regarding the value of his ownership stake, the enforceability of non-compete agreements, and his right to vested carry.
- Winning complete defense judgments under the Digital Millennium Copyright Act for a leading online retailer accused of contributory copyright infringement.
- Representing an international telecommunications company in obtaining a jury verdict of patent infringement against a telephone chipmaker in the Northern District of California.
- Winning a complete victory at summary judgment on behalf of a leading e-commerce company in a suit involving breach of contract, antitrust violations, and defamation in the Western District of Washington.
- Reversing partial summary judgment on behalf of two creators of a role-playing game in a Ninth Circuit appeal involving claims of trademark and copyright infringement, breach of contract, and business torts.

Alex is a member of the Sedona Conference drafting committee on trade secrets issues. He is the past board member and president of several Bay Area legal services and non-profit organizations, and he served as an appointed member of the San Francisco MTA Advisory Committee. He currently serves as the firm's hiring partner and is an active member of the Bar Association of San Francisco's intellectual property and antitrust sections.

Distinctions

- *The Best Lawyers in America*: Ones to Watch in the area of Commercial Litigation (2021)
- Northern California Rising Stars by *Super Lawyers* (2021)

Services

- Business Litigation
- Intellectual Property Litigation
- Patent Litigation
- Copyright
- Appellate Litigation
- Data Analytics
- Data Center
- Privacy and Cybersecurity
- Private Equity and Venture Capital
- Private Client
- Technology
- Antitrust

Education

- Stanford University (J.D., 2011)
 - Projects Editor, Stanford Law Review
- University of San Francisco (M.A., 2005)
- Pomona College (B.A., 2003)

Bar Admissions

- California

Experience

Networking and Cybersecurity Solutions Company Patent Infringement Lawsuit

Represented a multinational networking and cybersecurity solutions company in a 6-patent infringement lawsuit in the Western District of Texas and in the related IPR proceedings. The lawsuit accused a broad range of data center-related technology, including routers, switches, firewall devices, and the company's operating system of infringement. The matter resolved with a settlement favorable for our client.

BladeRoom v. Facebook and Emerson

After a five-week jury trial before the U.S. District Court for the Northern District of California, our team won for UK-based BladeRoom a \$30 million verdict against global manufacturing giant Emerson for willful and malicious misappropriation of trade secrets and breach of a non-disclosure agreement relating to BladeRoom's revolutionary new methodology for constructing warehouse-sized data centers. The Daily Journal named this one of the "Top Verdicts" in California in 2018. The Court subsequently awarded BladeRoom an additional \$30 million in exemplary damages and \$17 million in prejudgment interest, for a total judgement exceeding \$77 million. Our client settled with Facebook after the first week of trial.

hiQ Labs Inc. v. LinkedIn Corp.

Represented startup hiQ Labs Inc. in a precedent-setting litigation for data analytics, mining, and aggregator companies and their right to access publicly available data under the Digital Millennium Copyright Act, the Computer Fraud and Abuse Act (CFAA), and a California state law on unauthorized computer access. The Ninth Circuit Court of Appeals affirmed hiQ's preliminary injunction against LinkedIn.

Purple Leaf v. Google, Inc.

Defended Google Checkout in the Eastern District of Texas against assertions that it infringed a patent owned by Purple Leaf that purportedly disclosed a way to conduct an online transaction directly between merchant and buyer. After initial pleadings, we were able to attain a dismissal of the claims against Google.

Publications

December 22, 2022

What Recent Rulings in 'hiQ v. LinkedIn' and Other Cases Say About the Legality of Data Scraping
The Recorder

November 2, 2022

Technology Platforms and Developments in Antitrust Law

May 23, 2022

7 Tips to Help Financial Advisor Firms Protect Their Customer Lists
Wealth Management

May 13, 2022

Litigation Trends In the Private Equity and Venture Capital Space
Upside

May 24, 2021

What to Know About Taking a Data Center Company Public Through a SPAC
Data Center Knowledge

May 7, 2021

Turmoil in the SPAC Market: What Private Tech Companies Should Consider Before Going Public Via a SPAC

TechCrunch / Extra Crunch

July 13, 2020

How Antitrust and Unfair Competition Laws Affect Platform Providers' Relationships With ISVs, API Developers, and Scrapers

Legaltech News

June 22, 2020

Monetizing University Patent Portfolios During the Economic Downturn

University Business

June 8, 2020

Tech Companies Should Strongly Consider Monetizing Their Patent Portfolios During the Economic Downturn

IP Watchdog

May 18, 2020

Protecting Your Internal Intellectual Property Investigation: Privilege and Work Product Under California and Federal Law

Law360

April 30, 2020

Tips for Efficiently Managing New Trade Secret Risks Created by Shelter-In-Place Restrictions and Remote Working

April 10, 2020

Data Centers Are "Critical Infrastructure," and That May Help Mitigate Business Impacts From COVID-19

June 13, 2019

What California's New Security Law Means to Your Business

April 4, 2019

Who 'Owns' a Secret? Whether Trade Secret Licensees Have Standing to Sue in California

The Recorder

11/12/2015

ITC Has No Jurisdiction to Block Infringing "Electronic Transmissions"

6/27/2014

Claim Construction: How Should the Supreme Court Weigh In?

4/24/2013

Employee and Inventor Witnesses in Patent Trials: The Blurry Line Between Expert and Lay Testimony

1/10/2013

Justice Department and Patent Office Issue "Policy Statement" Regarding Remedies for Standards-Essential Patents

11/28/2012

Northern District of California Issues New Guidelines and Model Order on E-Discovery

11/26/2012

Insurance Coverage Against Patent Infringement Suits by Non-Practicing Entities

Outside the Office

Alex has two primary outside interests—trying, and failing, to keep up with his toddler twins, and politics. He's organized meet-and-greet and fundraising events for candidates for local, state, and national office, and he previously worked on Capitol Hill as the press secretary for U.S. Senator Jeanne Shaheen.