



Stephanie P. Skaff

Partner

sskaff@fbm.com

San Francisco: 415.954.4495

Stephanie Skaff represents companies in complex litigation involving intellectual property, technology, privacy, and licensing issues.

Her clients benefit from her knowledge of and credibility with the state and federal court benches gained through her roles as a past president of the Bar Association of San Francisco and as a former co-chair of the Northern District of California Lawyer Representatives Committee.

Stephanie is regularly chosen as lead counsel for trade secret, patent infringement, and other intellectual property actions venued in jurisdictions around the country, including the Northern District of California, the Eastern District of Texas, and Delaware. She represents clients in actions involving computer hardware, software, internet search and applications, mobile devices, gaming, financial services, encryption, networking, and database technology. Her clients have included well-known companies like Google and Dell, as well as smaller technology companies and individuals battling significant "bet the company" litigation disputes.

Stephanie has successfully represented clients in high profile intellectual property disputes for more than two decades. Last year, she helped lead the team responsible for a defense verdict in a case involving SSD controller technology, and in the previous year, the team responsible for a multimillion plaintiff side jury verdict in a case involving data center technology. Stephanie brings a unique ability to help her clients overcome legal challenges, tell their stories to lay judges and juries, and forge a strategic path to the quickest and most successful resolution of their intellectual property disputes.

In addition to serving as the past President of the Bar Association of San Francisco and a past co-chair of the Northern District of California's Judicial Conference, Stephanie is also a founding member of the Resource Board of the National Association of Women Judges, a former barrister and associate in the Edward J. McFetridge Inn of Court, and a past co-chair of the ABA Litigation Section's Intellectual Property Committee.

Distinctions

- Women Leaders in Tech Law, *The Recorder*, (2013-2015, 2017-2018)
- Forever Influential Honor Roll, *San Francisco Business Times*, 2016-current)
- *Managing Intellectual Property* - IP Stars (2016-2020); Top 250 Women in IP (2016-2018)
- Top 75 Intellectual Property Litigators, *Daily Journal*, 2015
- Most Influential Women in Bay Area Business, *San Francisco Business Times*, 2014
- Recommended Patent Litigation Practitioner, *IAM Patent 1000*, 2014-2017
- Future Star, *Benchmark Litigation* (2011-2019)
- Women Leaders in Law, *The Recorder*, 2012
- Top 20 Lawyers Under 40, *Daily Journal*, 2006
- Northern California Super Lawyers (2006 - 2009, 2011 - 2020)
- *The Best Lawyers in America* in the area of Intellectual Property & Patent Litigation, (2019, 2021), Trade Secrets Law (2021)

Services

- Intellectual Property Litigation
- Patent Litigation
- Trade Secrets Litigation
- Internet Law
- Privacy and Cybersecurity
- Technology

Education

- University of California, Berkeley, School of Law (J.D., 1995)
 - . Order of the Coif; Associate Editor, *California Law Review*; Oral Argument Winner, McBaine Honors Moot Court Competition; Best Brief Award, McBaine Honors Moot Court Competition; Stephen P. Jameson Award for Scholarship and Advocacy
- University of Southern California (B.S.)
 - . *magna cum laude*
 - . Business Finance
- University of Southern California (B.A.)
 - . *magna cum laude*
 - . English

Bar Admissions

- California

Clerkships

- U.S. District Court (N.D. Cal.), Lowell D. Jensen

Memberships and Affiliations

- President, Bar Association of San Francisco (2014)
- Co-Chair, ABA Litigation Section, Intellectual Property Committee
- Association of Business Trial Lawyers (ABTL)
- American Intellectual Property Law Association (AIPLA)
- International Trademark Association (INTA)
- Licensing Executives Society (LES)
- American Inns of Court (Edward J. McFetridge Inn)
- Clerked for the Honorable D. Lowell Jensen of the United States District Court, Northern District of California

Experience

Integral Development Corp. v. Viral Tolat

We defended the co-founder and former Chief Technology Officer of a software company against claims alleging trade secret misappropriation (among others) after he took a position with a rival company. Our vigorous defense of this matter included a successful summary judgment motion and opposing an appeal that followed.

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.

Cioffi, et al. v. Google Inc

Defended Google in the U.S. District Court for the Eastern District of Texas in a four-patent case relating to multi-process web browsers. The case is currently pending a post-trial invalidity decision based whether the reissue patents improperly recaptured disclaimed subject matter under 35 USC section 251.

Albert Jones v. Google Inc.

Represented Google in a multi-defendant patent infringement action in the Northern District of California involving smart phone, smart watch and headphone technologies. Following a claim construction hearing, the court ruled in favor of defendants.

Tse v. Google, 570 Fed.Appx. 941 (Fed. Cir., 2014)

Represented Google in the Federal Circuit Court of Appeals seeking affirmance of a Northern District of California ruling that a digital rights management patent was invalid. The Federal Circuit ruled in favor of our client, affirming invalidity of the asserted patents.

Publications

December 1, 2020

Undergoing Bankruptcy Proceedings? Here's How to Make Sure PII Maintains Its Value

Legaltech News

November 5, 2020

Privacy During Bankruptcy Proceedings: Why It Matters

July 13, 2020

Artificial Intelligence Can't Patent Inventions: So What?

IP Watchdog

5/5/2016

IP and Employment Implications of the Defend Trade Secrets Act to be Discussed at May 24-25 Roundtable Programs

6/17/2013

US Supreme Court Holds cDNA Patent Eligible, but Isolated DNA Not

5/24/2013

Narrow holding in Monsanto leaves open questions

5/14/2013

Patent Exhaustion Does Not Apply to the Reproduction of Patented Seeds

5/14/2013

Federal Circuit Issues Decision on Section 101 Patent Eligibility of Computer-Implemented Inventions

2/13/2013

Court Hears Arguments on Patent Eligibility of Computer-Implemented Invention

2/5/2013

The California Supreme Court Loosens Restrictions On Internet Retailers

12/20/2012

FTC and DOJ Explore Role of Patent Assertion Entities in the Patent Innovation Market

3/8/2010

California Appeals Court Expands False Claims Act Liability

5/18/2009

Congressional Action May Open The Door To A New Wave Of Fraud and False Claims Act Litigation

2/3/2009

The Federal Circuit Reaffirms Its Judicial Support Of Standard Setting Organizations In Qualcomm

1/17/2008

Alert: Supreme Court Limits the Reach of Private Federal Securities Law Actions, Rejecting Claims of Liability Based Upon a "Scheme to Defraud"