



### Rajiv Dharnidharka

Partner

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Rajiv Dharnidharka handles business disputes and potential disputes, focusing in intellectual property, technology, and general corporate matters through counseling, negotiation, litigation, arbitration and mediation. Rajiv is the co-chair for litigation of DLA Piper's Technology sector group and a member of the Fintech sector group. His main areas of practice are trade secret and software copyright litigation, and he regularly speaks and writes regarding technology issues domestically and internationally.

- Litigation, Arbitration and Investigations
- Intellectual Property and Technology
- Patent Litigation
- Trademark and Copyright

Rajiv has experience representing public and private companies from Fortune 500 companies to startups, among them all forms of tech companies, manufacturing companies, defense contractors, transportation companies, financial institutions and other domestic and international businesses.

Rajiv is a member of DLA Piper's US-India business development team. Rajiv represents the firm in the US-India Business Council (USIBC), the US-India Strategic Partnership Forum (USISPF), the ABA India section, and The Indus Entrepreneurs (TIE).

## Recent Matters

- Plaintiff-side pre-litigation settlement: through pre-litigation positioning and strategy, obtained complete capitulation from client's adversary, resulting in adversary assigning all IP rights in question to client and paying all attorneys' fees and costs associated with pre-litigation investigation
- Defense-side pre-litigation lawsuit avoidance: developed and implemented action plan to foreclose adversary from being able to pursue lawsuit with threatened temporary restraining order and preliminary injunction, leading to mutual walk-away settlement
- Plaintiff-side confidential litigation settlements: obtained multiple confidential settlements in or near the 8-figure range in lawsuits involving trade secrets, copyrights, trademarks, and contract claims
- Defense-side confidential litigation settlement: defended technology company against a rival pursuing a scorched-Earth lawsuit claiming more than \$100 million in damages, disposing of all claims other than trade secret misappropriation and conspiracy through

dispositive motion practice. With trial on the horizon, settled for the rough estimate of fees and costs remaining to take the case through trial and appeal

- JB Knowledge Technologies v. BuildingConnected, et al.: developed and implemented defense strategy for BuildingConnected and its co-founders against a bet-the-company-lawsuit brought by a competitor asserting trade secret misappropriation and related claims resulting in complete dismissal with prejudice
- GSI Technology v. United Memories, et al.: obtained trade secret misappropriation and breach of contract jury verdict in five-week trial against former design contract vendor
- Garretts v. Greenlee's Cinnamon Bread and More, et al.: prevailed in ten-week bench trial and obtained trade secret injunction protecting secret recipe against use by former business associate along with per se and punitive damages
- Underground Technologies v. Pipelife Jet Stream: prevailed in two-week arbitration regarding failed business arrangement
- ON24 v. SnapSession, et al. obtained temporary restraining order against former employees of company and their new competing business misusing confidential company materials
- One Block Off the Grid v. American Solar Connection, et al.: succeeded in trade secret misappropriation litigation, which successfully shut down former employees and their new competing venture that hacked sales leads databases
- Formfactor v. Micro-Probe, et al.: defeated semiconductor trade secret misappropriation claims and related claims by summary judgment
- Jobsience v. CV Partners, et al: defeated trade secret claims and related claims through trade secret disclosure motion practice and motions to dismiss
- ChipConnect v. Calibur11, et al.: obtained preliminary injunction against former business partners for copyright infringement and trade secret misappropriation
- Represented several other companies in trade secret and copyright disputes, successfully pursuing and defending against DMCA take-down actions, temporary restraining orders and preliminary and permanent injunctions
- Represented and advised several buy-side and sell-side companies in post-merger and acquisition disputes regarding earnouts, escrows and other pre- and post-transaction events
- Arbitrated and mediated several disputes to resolution

## CREDENTIALS

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### Admissions

- California

### Clerk Experience

- Law Clerk for the Honorable James Ware, Northern District of California

### Recognitions

Rajiv has been recognized by *The Legal 500 United States*.

### Education

- J.D., Santa Clara University School of Law 2004
- Georgetown University Law Center  
Visiting Student, Fall 2003
- B.S., California Polytechnic State University, San Luis Obispo 2001  
*summa cum laude*  
College of Business

### Courts

- All California state courts
- All California federal district courts
- Supreme Court of the United States
- United States Court of Appeals for the Ninth Circuit

## Memberships

- US-India Business Council (USIBC)
- The Indus Entrepreneurs (TiE)

## INSIGHTS

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### Publications

#### The Defend Trade Secrets Act reaches foreign conduct

19 March 2020

In January, a federal court ruled that the Defend Trade Secrets Act (DTSA) applies to acts of misappropriation occurring outside of the United States. Under the ruling, international actors face new exposure to domestic lawsuits alleging misconduct occurring in other countries.

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- Co-author, "The Return of Employees, Business Partners and Vendors to the Office: Five Steps to Protect Trade Secrets," *Business Law Today*, June 12, 2020
- Author, "Best practices in hiring to protect trade secrets," *Corporate Counsel*, September 27, 2017
- Co-author, "Co-author, The Defend Trade Secrets Act one year in – four things we've learned," *DLA Piper IPT Alert*, May 30, 2017
- Co-author, "Obama signs federal trade secret bill into law: key points for IP," *DLA Piper IPT Alert*, May 11, 2016

### Events

- ABA India, *Threading the Needle in US India Deals: Safe Passage Through Formidable Legal Risk*, Delhi, India 14 Feb 2014
- Employment Law Briefing 2015, *Protecting Social Media Assets*, San Francisco, CA 13 Jan 2015
- Legal Era Conclave India 2015, *E-Commerce & Digital Markets, Challenges & The Future*, Delhi, India 12 March 2015
- Employment Law Briefing 2016, *Protecting Your IP in a Mobile World*, San Francisco, CA 14 Jan 2016
- Employment Law Briefing 2016, *Protecting Your IP in a Mobile World*, Palo Alto, CA 21 Jan 2016
- Employment Law Briefing 2016, *Protecting Your IP in a Mobile World*, Palo Alto, CA 21 Jan 2016
- Gennext Counsel Congress, *Outbreak of Scandals And Managing Crisis In A Digitised World Understanding Cyber Security & Data Privacy Challenges, From Infringement to Enforcements Worldwide*, Mumbai, India 4 March 2016
- "California Employment Law Briefing," January 15, 2019 (San Francisco) and January 17, 2019 (Silicon Valley)