



Erin P. Gibson

Partner

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Erin Gibson concentrates in civil trial practice in federal courts with an emphasis on patent litigation and International Trade Commission (ITC) proceedings.

Erin has tried 17 cases, including 15 patent trials in federal district courts and the International Trade Commission. She has handled more than 39 ITC cases. Erin recently won a defense verdict in a US\$500 million patent jury trial and a complete plaintiff's verdict in another jury trial, where the jury deliberated just over two hours. Legal 500 recommends Erin for her work in US patent litigation. Erin was named a 2015—2021 Super Lawyer for intellectual property litigation in San Diego. In 2016, *Law360* named Erin a "Rising Star" in Intellectual Property. In 2014, *Law360* named Erin a "Rising Star" in International Trade. Erin also is a member of the board of directors of the Federal Circuit Bar Association.

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

Representative Experience

- *Neodron v. Microsoft Corp. and HP Inc.* (representing Microsoft and HP in patent litigation involving touchscreen mobile devices in the Western District of Texas and in ITC Investigation No. 337-TA-1162)
- *Princeton Digital Image Corp. v. Hewlett-Packard* (won summary judgment in HP's favor in patent litigation involving JPEG and camera exposure technology in the Southern District of New York)
- *Isola USA v. Taiwan Union Technology Corp.* (helped win a complete jury verdict for Isola, including willful infringement and lost profits damages, in the District of Arizona)
- *Cornell v. Hewlett-Packard* (represented HP in patent litigation involving computer microprocessor technology in the Northern District of New York, which led to the seminal district court decision instigating patent damages reform)
- *Lodsys v. Hewlett-Packard* (represented HP in patent litigation involving HP Support Assistant and SureSupply software in the Eastern District of Texas, Marshall Division)
- *Hitachi v. Milwaukee Electric Tool Co. & Techtronic Industries* (represented Milwaukee and Techtronic in patent litigation involving sintered neodymium magnets in power tool motors, in ITC Investigation No. 337-TA-855)

- *Motorola Mobility v. TiVo* (represented Motorola in patent litigation involving DVR technology in the Eastern District of Texas, Texarkana Division)
- *Isola USA v. Taiwan Union Technology Corp.* (represented Isola in an ITC enforcement proceeding involving printed circuit board technology, in ITC Investigation No. 337-TA-659 (Enforcement))
- *Smart Modular v. Netlist, Inc.* (represented Netlist in patent litigation involving DDR3 HCDIMM memory technology in the Eastern District of California)
- *Linksmart v. InterContinental Hotels Group Resources* (represented InterContinental in patent litigation involving Web authentication and redirection technology in the Central District of California)
- *InNova v. Trend Micro* (represented Trend Micro in patent litigation involving email authentication technology in the Eastern District of Texas, Marshall Division)
- *InNova v. Hewlett-Packard, HP Enterprise Services & Dr Pepper Snapple* (represented HP, HPES, and Dr Pepper Snapple in patent litigation involving email authentication technology in the Eastern District of Texas, Marshall Division)
- *SkinMedica v. Histogen* (represented Histogen in patent litigation involving cell culture in the Southern District of California)
- *Ricoh v. Oki Data* (represented Ricoh in patent litigation involving printing technology in ITC Investigation No. 337-TA-619 and the District of Delaware)
- *Motorola v. RIM* (represented Motorola in patent litigation involving smartphone technology in the Northern District of Texas)
- *Cornell v. Hewlett-Packard* (represented HP in patent litigation involving computer microprocessor technology in the Northern District of New York)
- *Hewlett-Packard v. Acer* (represented HP in patent litigation involving computer architecture technologies in the Eastern District of Texas, Marshall Division)
- *Hewlett-Packard v. Gateway & eMachines* (represented HP in patent litigation involving DVD drive technology, processor speed technology, and computer display technology in ITC Investigation No. 337-TA-547)
- *Hewlett-Packard v. Gateway* (represented HP in patent litigation involving computer hardware technology in ITC Investigation No. 337-TA-509)
- *Hewlett-Packard v. Gateway* (represented HP in patent litigation involving 19 patents covering numerous computer hardware technologies including processor speed technology, computer display technology, and software upgrade technology in the Southern District of California)
- *Amiga Development v. Hewlett-Packard* (represented HP in patent litigation involving computer graphics hardware and computer monitoring software technologies in the Eastern District of Texas, Marshall Division)
- *Broadcom v. Qualcomm* (represented Qualcomm in patent litigation involving wireless communication technology in the Central District of California)
- *Zenon Environmental v. United States Filter* (represented Zenon in patent litigation relating to water and wastewater treatment systems in the Southern District of California)

CREDENTIALS

Admissions

- California

Recognitions

- *Chambers USA*
 - Band 5, International Trade: Intellectual Property (Section 337) (2022)
- *The Legal 500 United States*
 - Leading Lawyer, Patents: Litigation (International Trade Commission) (2022)
 - Recommended, Patents: Litigation (International Trade Commission) (2016, 2020-2021)
 - Recommended, Patents: Litigation (Full Coverage) (2019 - 2022)

- Awarded Super Lawyer in Intellectual Property (2015-2021)

Education

- J.D., University of San Diego 2003
cum laude
San Diego Law Review
Order of the Barristers
Moot Court National Team
- B.J., University of Nebraska 1999
summa cum laude

Memberships

- Member, University of San Diego School of Law Board of Visitors
- Board of Directors Member, Federal Circuit Bar Association
- U.S. Chairperson and Fellow, Global Fellows of the Federal Circuit Bar Association
- American Inns of Court, Louis M. Welsh Chapter

Other Accomplishments

She was named a 2013-2014 Global Fellow of the Federal Circuit Bar Association. Erin is a member of the Board of Visitors and former adjunct professor at the University of San Diego School of Law.

INSIGHTS

Publications

- "Five questions with Erin Gibson: DLA Piper Partner; Technology Sector US Co-Chair; International Trade Commission Practice Chair," April 26, 2021

Events

- Moderator, DLA Piper's Seventh Biannual Global Technology Summit, April 27, 2021

NEWS

MEDIA MENTIONS

- Mentioned, "Wake Up Call Column," *Bloomberg Law*, May 21, 2021
- Mentioned, "DLA Piper's New ITC Chair On Expanding The Practice," *Law360 Pulse*, May 20, 2021
- Mentioned, "Law360 Names Attys Who Moved Up The Firm Ranks In Q1," *Law360*, May 7, 2021
- Mentioned, "USD School of Law Alumna Erin Gibson '03 (JD) to Co-Lead DLA Piper's US Technology Sector, University of San Diego, April 1, 2021
- Mentioned, "Tech Giants Urge Justices To End IP Damages 'Loophole'," *Law360*, February 13, 2020