



Eric Rivas

Associate

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Eric Rivas is an associate in DLA Piper's Litigation & Regulatory practice group. Mr. Rivas's practice focuses on a broad range of antitrust and complex commercial litigation, including trade secrets misappropriation, business and commercial torts, breach of contract, and internal investigations.

Mr. Rivas has experience with consumer and antitrust class action litigation, as well as antitrust lawsuits and commercial disputes between rivals or suppliers and distributors. He represents clients across a range of industries, including entertainment, pharmaceuticals, life sciences, advertising, fashion retail, agriculture, and technology.

• Litigation, Arbitration
and Investigations

Spanish

LANGUAGES SPOKEN

- Spanish

REPRESENTATIVE MATTERS INCLUDE:

- *In re McGregor-Mayweather Boxing Match Pay-Per-View Litigation*, MDL Docket No. 2806 – Successfully obtained the early dismissal of Showtime Networks from a series of putative class actions arising out of the August 2017 boxing match between Floyd Mayweather and UFC star Conor McGregor. This outcome followed a ruling granting Showtime Networks' motion to compel arbitration on an individual basis.
- *PlusPass, Inc. v. Verra Mobility Corp. et al.*, No. 2:20-cv-10078 (C.D. Cal.) – Defended The Gores Group LLC (TGG) against allegations by PlusPass, Inc. that TGG conspired with co-defendants and third parties to merge competing entities and foreclose competition through contracts with rental car companies. After filing a motion to dismiss, TGG was dismissed from the case.
- *FashionPass Inc. v. Rent the Runway Inc. et al.*, No. 2:19-cv-03537 (C.D. Cal.) – Defended Rent the Runway (RTR) against allegations by FashionPass that RTR's contracts with fashion designers allegedly harmed competition and tortiously interfered with business opportunities. After obtaining a dismissal of the initial complaint, the matter was successfully resolved.
- *Bio-Rad Laboratories Inc. et al. v. 10X Genomics Inc.*, No. 1:19-cv-12533 (D. Mass.) – Defended Bio-Rad Laboratories against post-merger antitrust counterclaims raised by defendant in a patent infringement litigation. Defendant alleged that Bio-Rad, through a

2017 merger, monopolized product and technology markets involving digital droplet genetic analysis, in violation of § 2 of the Sherman Act and § 7 of Clayton Act. 10X claimed it was harmed by Bio-Rad's prior successful patent enforcement litigations, and sought divestiture of the merged assets and patents. Ruling on Bio-Rad's motion to dismiss, the court rejected several of the defendant's antitrust claims in alleged markets where the defendant was the dominant firm. Subsequently, the parties reached a global settlement and agreed to a lifetime cross-licensing agreement regarding the patents-in-suit.

Mr. Rivas's notable experience also includes representation of:

- A leading television broadcaster in an industry-wide multi-district antitrust putative class action litigation regarding broadcast television spot advertising, as well as the resolution of a related DOJ Antitrust Division investigation.
- A leading chicken producer in a series of federal class actions across the country brought by direct and indirect purchasers alleging the major chicken producers reduced output to raise the price of broiler chickens.
- A multinational material recycling firm against claims by a rival in California federal court that the firm tortiously interfered with contracts between the rival and third parties and aided and abetted a purported conversion of catalytic materials.
- A pharmaceutical firm alleging a rival monopolized the market for epinephrine auto-injectors through exclusive contracts with pharmacy benefit managers and insurance plans.
- A pharmaceutical firm bringing claims under the Sherman Act for an illegal attempt to extend its patent monopoly through contracts lasting beyond the term of the patent.

CREDENTIALS

Admissions

- California
- New York

Education

- J.D., Georgetown University Law Center

INSIGHTS

Publications

- Contributor, ABA's 2020 Annual Review of Antitrust Law Developments
- Co-Author, "Platform Conduct: Navigating New Grounds," Antitrust Source, February 2020
- Co-Author, "California Appeals Court Provides Much Needed Clarification on Enforceability of Employee Non-Solicit Provisions Post-Edwards," Employee Benefit Plan Review, March 2019