Joseph A. Gorman

Of Counsel

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San Francisco



Joseph A. Gorman is of counsel in the San Francisco office of Gibson Dunn. He is a member of the Firm's Litigation, Trials, Intellectual Property, FDA and Health Care, Class Action, Privacy, Cybersecurity, & Data Innovation, Labor & Employment, Trade Secrets, Artificial Intelligence, and Appellate Practice Groups. His practice focuses on complex commercial litigation with a focus on copyright, trade secret, cybersecurity, employment, and contract disputes. He served as a law clerk to Judge Andrew J. Kleinfeld of the United States Court of Appeals for the Ninth Circuit, and to Judge Garland E. Burrell, Jr. of the United States District Court for the Eastern District of California.

Joe has represented clients in the technology, software, pharmaceutical, healthcare, semiconductor, sports, energy, and retail industries in a variety of high-stakes disputes, in several federal jury and bench trials and on appeal.

Representative matters include:

- Represented Rimini Street, a leading software support services provider, in copyright, false advertising, and unfair competition litigation against Oracle in the District of Nevada. Represented Rimini Street in several trials and appeals in connection with this matter, including obtaining a unanimous decision in United States Supreme Court concerning interpretation of Section 505 of the Copyright Act.
- Represented Hewlett Packard Enterprise against claims of copyright infringement, tortious interference, and unfair competition brought by Oracle in a lawsuit relating to a subcontractor's handling of components of an Oracle Operating System. Achieved summary judgment in part, based on statute of limitations arguments, which was affirmed by the Ninth Circuit on appeal. Defended Hewlett Packard Enterprise in a 3-week jury trial, after which the parties settled on confidential terms.
- Represented Nike in lawsuit filed by high-profile competitor concerning endorsement contract with then top-ranked professional golfer. Obtained summary judgment on behalf of Nike on all claims.
- Represented Nike in trade secret misappropriation case concerning three designers leaving Nike for high-profile competitor. Secured confidential settlement after winning temporary restraining order and preliminary injunction.
- Represented Allergan in consolidated patent and unfair competition case concerning eyelash growth drugs. Obtained summary judgment and a permanent injunction for Allergan.
- Represented Walmart in wage-and-hour class action federal trial. Defeated motion for $80 million in penalties and liquidated damages following trial and obtained affirmance on appeal.

Capabilities

Litigation
Aerospace and Defense
Appellate and Constitutional Law
Artificial Intelligence
Class Actions
FDA and Health Care
Intellectual Property
Labor and Employment
Life Sciences
Media, Entertainment, and Technology
National Security
Privacy, Cybersecurity, and Data Innovation
Sports Law
Tech and Innovation
Technology Litigation
Trade Secrets
Trials

Credentials

Education

University of San Diego - 2009 Juris Doctor

State University of New York at Geneseo - 2006 Bachelor of Arts

Admissions

California Bar

Clerkships

US Court of Appeals, 9th Circuit, Hon. Andrew J. Kleinfeld, 2011 - 2012

USDC, Eastern District of California, Hon. Garland E. Burrell Jr., 2009 - 2010

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- Represented national trucking company in wage-and-hour class action federal trial.

Joe also has an active pro bono practice, focused on veterans, immigration, and animal rights. Joe serves on the Swords to Plowshares pro bono advisory board. Joe currently serves in the United States Navy Reserves.

Joe earned his law degree *magna cum laude* in 2009 from the University of San Diego School of Law, where he was a Dean's Scholar and was elected to Order of the Coif. During law school, Joe was a member of the San Diego Law Review and the school's National Moot Court Team. He was a recipient of the Pro Bono Service Award. In 2006, he earned a Bachelor of Arts degree *magna cum laude* from the State University of New York at Geneseo.

Joe has practiced in federal courts throughout the country and is a member of the California bar.

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