

Michael M. Polka

Associate Attorney

mpolka@gibsondunn.com

T: +1 650.849.5370

Palo Alto

Michael Polka is a litigation associate in the Palo Alto office of Gibson, Dunn & Crutcher, focusing on intellectual property and technology-related disputes. He has firsthand experience at all phases of litigation, has managed several litigation teams, and has been on three trial teams.

Michael brings deep technical know-how and real industry experience to his legal practice. Before going to law school, Michael worked for the better part of a decade as a mechanical engineer with General Electric in its nuclear energy division, graduating from the prestigious Edison Engineering Development Program. This uncommon upbringing allows him to speak the language and understand the needs of his clients—including business and technical people.

As a litigator, Michael has represented plaintiffs and defendants in industries across the board, including power generation, energy storage, industrial processing, consumer goods, automotive, aviation, network security, and social media. He also has substantial experience in trademark, copyright, trade secret, publicity, antitrust, and False Claims Act cases. Outside litigation, Michael has experience with patent portfolio review, freedom to operate analysis, and design-around counseling.

Michael is admitted to practice in California, New York, the U.S. Patent and Trademark Office, the Courts of Appeal for the Second, Ninth, and Federal Circuits, the Southern and Eastern Districts of New York, the Southern and Eastern Districts of Texas, and the Northern District of Ohio. He was also a longtime member, including as secretary, of the New York City Bar Association Committee on Patents (2014–2023).

Selected Matters:

- Represented Sophos in a large-scale patent litigation regarding information security brought by competitor OpenText, responsible for managing the defensive case asserting patents by counterclaim
- Represented SNF, the world's largest producer of water-soluble polymers, against patent infringement claims brought by BASF, leading the technical expert strategy development and execution
- Represented Costco in successfully defending an eighteen-patent suit regarding high-end windshield wipers, responsible for preparation of several experts and successful inter partes review petitions
- Represented TC Heartland against allegations of patent infringement by Kraft at all stages of the litigation including the successful correction of patent venue law at the U.S. Supreme Court
- Represented a regional grocery distributor against trademark claims brought by a large international brand, drafting and arguing a successful motion to dismiss for



Capabilities

Intellectual Property
Energy and Infrastructure
Litigation
Media, Entertainment, and Technology
Power and Renewables
Technology Litigation
Technology Transactions
Trials

Credentials

Education

Fordham University - 2016 Juris Doctor
North Carolina State University - 2010
Master of Science
University of Texas - 2006 Bachelor of
Science

Admissions

New York Bar
California Bar

failure to join a foreign parent

- Represented an autonomous aviation startup defending against claims it misappropriated trade secrets from competitor allegedly brought by transferring employee, responsible for managing the internal investigation
- Represented Costco in several cases preventing importation of counterfeit goods on an emergency basis
- Represented a renowned architectural lighting firm and related companies, assisting in the take-down of unauthorized resellers' websites for using copyright-infringing images
- Contributed to *amicus curiae* briefs in support of the prevailing parties for IBM and Red Hat in *Google v. Oracle*, and the High Tech Inventors Alliance in *Helsinn v. Teva*
- Counseled a special purpose acquisition company in connection with its \$3 billion merger with advanced battery company QuantumScape by evaluating the strength of its patent portfolio

Includes matters undertaken before joining Gibson Dunn.

Michael M. Polka

Associate Attorney

mpolka@gibsondunn.com

T: +1 650.849.5370

Palo Alto