Stuart M. Rosenberg

Partner

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Stuart M. Rosenberg is a partner in the Palo Alto office of Gibson Dunn, where his practice focuses on intellectual property litigation and counseling. He handles disputes in the United States District Courts, the United States Patent and Trademark Office, the Court of Appeals for the Federal Circuit, the International Trade Commission, and California State Court, as well as in Alternative Dispute Resolution proceedings. He has represented clients in a variety of industries and technologies, including software and electronics, medical devices, sporting goods, and automotive design, and has been recognized by *The Legal 500 USA* for his trade secrets work.

Stuart earned his Juris Doctor degree with distinction in 2005 from Stanford Law School, where he was an Articles Editor for the Stanford Law Review. He graduated from Yale University in 2002 with a degree in Physics & Philosophy. In 2007 and 2008, Stuart served as a law clerk for Chief Judge Paul R. Michel of the United States Court of Appeals for the Federal Circuit. Stuart is a member of the bar of the State of California, is registered to practice before the United States Patent and Trademark Office, and is admitted to practice in the Northern and Central Districts of California, the Eastern District of Texas, and the Federal and Ninth Circuit Courts of Appeals.

Stuart's recent representative matters include:

- **Patent litigation in the Western District of Texas regarding computer networking technology** – Gibson Dunn represents the leading supplier of computer network equipment in a multi-patent dispute with hundreds of millions of dollars in claimed damages. Stuart and the team prevailed in dismissing multiple patents before trial as invalid or not infringed, and then secured a rare directed verdict during trial on the last remaining patent, resulting in a complete victory for our client on all asserted claims. The American Lawyer recognized Stuart as the Litigator of the Week for this victory.
- **Patent litigation in the Central District of California regarding data storage technology –** Gibson Dunn is defending a leading hard drive manufacturer in a dispute regarding encryption technology. Stuart and the team recently obtained judgment as a matter of law on damages, overturning a judgment of more than $550 million dollars against our client, and successfully reducing the judgment to nominal damages of one dollar instead.
- **Trade Secret and patent litigation regarding electric vertical takeoff and landing aircraft**– Gibson Dunn represents a leading public company in the Advanced Air Mobility market in a multi-venue dispute relating to electric vertical takeoff and landing (eVTOL) aircraft. Stuart and the team recently won key victories, including summary judgment and judgment on the pleadings regarding the majority of the alleged trade secret and patent claims, and the California state and federal court components of the dispute have now been resolved with a forward-looking collaboration between the parties. Stuart deposed key engineers

Capabilities

Intellectual Property
Appellate and Constitutional Law
Life Sciences
Litigation
Technology Litigation
Trials

Credentials

Education

Stanford University - 2005 Juris Doctor
Yale University - 2002 Bachelor of Arts

Admissions

California Bar

Clerkships

US Court of Appeals, Federal Circuit, Hon. Paul Redmond Michel, 2007 - 2008

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and corporate representatives, worked closely with the technical experts, and briefed and argued key issues in court, including summary judgment for both trade secret and patent claims, as well as patent claim construction and motion practice regarding infringement contentions.

- **Patent litigation in the International Trade Commission and district courts regarding smartwatches and trackers** – Gibson Dunn represents a leading health and fitness company in a multi-venue patent dispute regarding smartwatches and activity tracking, including several district court cases and an International Trade Commission investigation. Stuart and the team recently won a complete defense for our client in the ITC investigation, including summary determination of noninfringement on multiple patents and a final determination invalidating the only remaining patent after trial, leading *Stuart to be recognized as American Lawyer's Litigator of the Week*. Stuart prepared and examined witnesses at the trial, handled fact and expert depositions before trial, and led the successful briefing on summary determination.
- **Inter Partes Review in the United States Patent and Trademark Office** – Gibson Dunn represented a leading medical device manufacturer in a dispute with a direct competitor regarding surgical tools for joint replacement procedures. Stuart argued successfully before the Patent Trial and Appeal Board in IPR proceedings, seeking and obtaining cancellation of all claims asserted by the opposing party in litigation.
- **Patent litigation in the Eastern District of Texas regarding FRAND-encumbered telecommunications patents** – Gibson Dunn defended a major United States wireless network operator in a series of patent cases regarding allegedly essential LTE and 3G technologies. Stuart worked with experts on standard setting to pursue counterclaims against the plaintiff for violations of its FRAND obligations, and successfully maintained those counterclaims in the face of pretrial motions before the dispute settled on the eve of trial.
- **Patent litigation in the District of Delaware regarding network-based storage technology** – Gibson Dunn represented the plaintiff, the market leader in network storage equipment, in infringement litigation against a direct competitor. We obtained summary judgment of infringement, and then prevailed in a jury trial on remaining issues, obtaining an eight-figure damages award. Stuart examined the technical experts and the defendant's technical fact witnesses at trial, and argued claim construction and other legal issues before the court.
- **Patent litigation in the Northern District of California and the Federal Circuit regarding smartphone technology** – Gibson Dunn represented a leading smartphone manufacturer in litigation brought against it by a company who claimed to have invented the mobile internet in the 1990s. The plaintiff asserted ten patents, and Gibson Dunn was able to obtain dismissal of all ten patents before trial. Stuart briefed and argued claim construction and successful summary judgment motions on several of the patents.

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