

Emily Whitcher

Associate Attorney

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Orange County



Emily M. Whitcher is a litigation associate in the Orange County office of Gibson, Dunn & Crutcher. She is a member of the Intellectual Property Practice Group, focusing on patent and trade secret litigation. She also advises clients on corporate matters and conducts freedom to operate analyses.

Emily has significant experience in all stages of litigation — ranging from claim investigation to achieving a successful jury verdict. She has been instrumental in developing case strategy, managing complex discovery, taking depositions, preparing fact and expert witnesses to testify, and representing clients at trial. Emily has litigated high-stakes cases for both plaintiffs and defendants in a variety of forums, including federal courts, at the Patent Trial and Appeal Board (PTAB), at the International Trade Commission (ITC), and before arbitration panels. She leverages her technical background in bioengineering to counsel clients in a wide range of industries, including biotechnology, pharmaceuticals, medical devices, video streaming technology, semiconductors, software, electronics, mechanical devices, virtual reality, and interactive entertainment.

Emily has obtained a favorable Final Determination in a high-stakes patent infringement ITC Investigation. She has coordinated complex discovery requiring large document reviews and numerous depositions in a short period of time. She has been instrumental in developing and defending against patent invalidity theories and obtaining the discovery needed to prevail. Emily also was a key member of a trial team that secured a \$500 million jury verdict in a trade secret case. Through her work on trade secret cases, she has developed an expertise in forensic analysis and works closely with forensic consultants and experts to gather and analyze forensic data.

She earned her Juris Doctor from Harvard Law School in 2015. She graduated with a Bachelor of Science, *summa cum laude*, and a Master of Science in bioengineering from the University of Pennsylvania in 2012, where she was admitted to the Tau Beta Pi engineering honor society.

Emily is admitted to practice in the States of California and New York and before the United States District Courts for the Central and Northern Districts of California and the Southern and Eastern Districts of New York. She is also a registered patent attorney before the United States Patent and Trademark Office.

Prior to joining Gibson Dunn, she was an associate at Jones Day and Skadden, Arps, Slate, Meagher & Flom.

Capabilities

Intellectual Property

Life Sciences

Litigation

Credentials

Education

Harvard University - 2015 Juris Doctor

University of Pennsylvania - 2012 Master of Science

University of Pennsylvania - 2012 Bachelor of Science

Admissions

California Bar

New York Bar