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# TOP INTELLECTUAL PROPERTY LAWYERS

## Stefani E. Shanberg

<b>FIRM</b> <b>Morrison &amp; Foerster LLP</b>	<b>CITY</b> <b>San Francisco</b>	<b>SPECIALTY</b> <b>Patent litigation</b>
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**W**hen Shanberg joined Morrison & Foerster last year, she hit the ground running.

It started with her winnowing down a 10-patent case against her client, Blue Coat Systems. In quick succession Shanberg won summary judgment on two patents, convinced the plaintiff to drop two more, and won a jury verdict of non-infringement on two more patents. She took two more patents off the table with a second jury verdict that returned low damages. *Finjan Inc. v. Blue Coat Systems Inc.*, 15-CV03295 (N.D. Cal., filed July 15, 2015).

A jury hung on the two remaining patents, which were retried. After a mistrial, the parties managed to arrive at a favorable settlement for Shanberg’s client before another trial could commence.

“I call it death by a thousand cuts,” Shanberg joked. “We were patient and just grinded it out.”

“It was unusual to go to trial three times on the same patent case in six months,” she added.

Shanberg’s patience paid off a second time last year when a federal judge ordered a plaintiff to pay \$820,000 in attorney fees to Shanberg and other legal



counsel for Google LLC in a video software patent dispute. *Max Sound Corp. v. Google Inc.*, 14-CV04412 (N.D. Cal., filed Oct. 1, 2014).

In an unusual maneuver, audio provider Max Sound Corp. accused Google of infringing a patent it didn’t actually own. Shanberg’s team won a dismissal of the case based on Max Sound’s lack of

standing to assert the patent, which it appealed to the Federal Circuit. Shanberg argued the appeal and won an affirmance of the district court’s decision.

Even though she was no longer working on the case when the ruling came down, Shanberg considered it a significant highlight of 2017.

“It was still one of my favorite orders ever because it was vindication for what we had dealt with for such a long time in that case,” she said.

Shanberg made a second trip to the Federal Circuit last year to argue on behalf of Square Inc., which was facing infringement allegations by software company Think Computer Corp. The Patent Trial and Appeal Board had delivered a review favorable to Square regarding the claims, and Shanberg fought Think Computer off after the case was appealed to the higher court.

Being in an office with an exceptional appellate group has been an enormous boon for her casework, Shanberg noted.

“The wealth of knowledge and presence of all these wonderful litigators and trial lawyers has made everyone on the team a better lawyer,” she said.

— Eli Wolfe