



Arbitration & Mediation Services

## David Jafari, Esq.



### AREAS OF PRACTICE

Business & Commercial Law and Manufacturing ♦ Patents, Trademark & Copyrights ♦ Contracts ♦ Trade Secret Trade Dress Protection ♦ Counterfeiting Defense ♦ Enforcement ♦ Partnership Dissolution ♦ Director Liability ♦ Fiduciary ♦ Obligations ♦ Derivative Actions ♦ Fraudulent Transfer of Assets ♦ Employment Discrimination ♦ Wrongful Termination

David Jafari is a seasoned litigator in Orange County, California with a passion for mediating disputes particularly those involving accusations of patent infringement. He holds a BSEE and MSEE in Electrical Engineering and Computer Science from The George Washington University in Washington D.C. Prior to founding Jafari Law Group in 2005, David worked for McDermott Will & Emery, one of the largest global law firms in the United States. He was an associate Trial Attorney in the Intellectual Property, Media and Technology Groups at the firm's Washington D.C. office. He represented high profile clients such as Hitachi, Medtronic and Intergraph in patent infringement actions including a case before the International Trade Commission. After graduating from law school, he worked for Blakely Sokoloff Taylor and Zafman, a patent prosecution firm handling applications for Intel. He drafted patent applications related to memory caching, CPU design, compiler optimization, and speech recognition technologies. He graduated third in his law school class of 123 in December of 1999.

David is passionate about mediation. During his 13 years of practicing law, he has attended numerous mediations where he has represented his clients and settled their cases through mediation. He holds a Certificate in Mediation from OC Human Relations Council and has been mediating cases with the Dispute Resolution Program of the Orange County Human Relations Council. He is also a mediator and an arbitrator with the Mandatory Fee Arbitration section of the OCBA.

David is currently the Managing Attorney at Jafari Law Group, a full-service intellectual property law firm. During the last 10 years, he has filed more than 50 cases in State and Federal courts in California, Illinois, and Texas for which he has been the lead attorney. He has filed and opposed summary judgments in both state and federal courts. In one case, David represented Hitachi in a section 337 investigation before the ITC from inception until 30 days prior to trial when the case settled. He was in charge of one of the 7 patents asserted, and performed claim construction, Rule 11 analysis, invalidity analysis, and summary judgment of non-infringement. In another case involving a design patent, David prepared and filed summary judgment of non-infringement and validity. He has also appealed an unfavorable decision to the federal circuit and argued before the three-judge panel in Washington DC. In another case, David opposed summary judgment and proceeded to prepare for trial. That case settled 19 days prior to trial. In another case, David opposed summary judgment based on statute of limitation and prevailed.

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As a result of his experience, David has particular expertise in dealing with complex patent infringement litigation, trademark dilution, and copyright violations. He also has expertise in dealing with HDMI, and HDCP including anti-circumvention of the Digital Millennium Copyright Act.

### Bar Admissions

- ♦ California, 2000
- ♦ District of Columbia, 2003
- ♦ U.S. District Court of the District of Columbia, 2004
- ♦ U.S. Court of Appeals Federal Circuit, 2004

### Education

- ♦ Western State University College of Law, Fullerton, California
  - J.D. (Cum Laude) – 1999
  - Honors: Ranked Third in his Class of 122 Students
  - Honors: Six American Jurisprudence Awards in Contracts, Civil Procedure, Evidence Practice, Uniform Commercial Code, Professional Skills, and Negotiations
- ♦ George Washington University, Washington, District of Columbia
  - M.S.
  - Major: Communications Engineering
- ♦ George Washington University, Washington, District of Columbia
  - B.S.
  - Major: Electrical Engineering

### Published Works

- ♦ Method & Apparatus for Filtering Prefetches to Provide High Prefetch Accuracy Using Less Hardware, U.S. Patent No. 6480939, 11, 12, 2002
- ♦ Means-Plus Function Elements: MWE Intellectual Property Update Where [and How] to Find “Corresponding Structure”, Vol. 4, No. 11, 11, 2001

### Representative Cases

- ♦ Nomadix, Inc. v. SolutionInc Technologies Ltd. (Central District of California 2010)
- ♦ Hewlett-Packard Company v. Intergraph Corporation (Northern District of California 2003)
- ♦ Hewlett-Packard v. Intergraph Hardware Technologies Co, Intergraph Corp. v. Dell Computer Corp.(Eastern District of Texas)
- ♦ Scimed Life Systems, Inc. And Corvita Corp. v. Medtronic AVE, Inc. and Medtronic, Inc. (District of Delaware 2002)
- ♦ Allstar Tire and Wheels v. Wheel Pros, Inc. (Central District of California 2008)
- ♦ Allstar Tire and Wheels v. Savini Styling Group (Eastern District of Texas 2008)
- ♦ David Tishbi, Inc. v. Gabriel Ofiesh (Central District of California 2008)

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- ♦ Kato v. Allstar Tire and Wheel (Central District of California 2006)
- ♦ Allstar Tire and Wheel, Inc. v. Wheel Pros, Inc. (United States Court of Appeals for the Federal Circuit 2011)
- ♦ R-1 Racing Sports, Inc. v. Allstar Tire and Wheel, Inc. (Central District of California 2005)
- ♦ Medicine Online, Inc. v. BidRx, LLC (Central District of California 2006)
- ♦ California Corporation vs. Three Bandits (Central District of California 2005)
- ♦ Universal City Studios Productions v. SSWAREZ.com (Central District of California 2008)
- ♦ GURU DENIM, Inc. v. TrueBrands.com (Central District of California 2008)
- ♦ Lexani Int'l, Inc. vs. Behrouz Mizban (Superior Court of California 2010)
- ♦ RBP performance, Inc. vs. T-REX Truck Products, Inc. (Central District of California 2010)
- ♦ Shawn Shirvan v. Astech Engineered Products, Inc (Superior Court of California 2008)
- ♦ Alma Barrios v. HiLL (Court of California 2011)
- ♦ Drengberg v. Dolce Group (Court of California 2011)
- ♦ Avtar Singh v. Lekler (Superior Court of California 2008)
- ♦ Vinatronics, Inc. v. 3DX Technologies, LLC (Superior Court of California 2007)
- ♦ Bodine Electric Company v. Viking Access Systems, LLC (Northern District of Illinois 2009)
- ♦ Palmieri, Tayler, Weiner, Wilhelm & Waldron LLP v. Tehranchi (Superior Court of California 2008)
- ♦ CURRIER SQUARE, LLC., v. PREMIUM TOBACCO STORES, INC (SUPERIOR COURT OF CALIFORNIA)
- ♦ CDR Investment Properties v. Parks Diversified (Superior Court of California 2009)
- ♦ CDR Investment Properties v. Parks Case (Superior Court of California 2009)
- ♦ KARIM, vs. AMERICAN HONDA MOTOR CO.
- ♦ Dr. James Fontanesi v. Dr. Stephen Doggett (Superior Court of California 2007)
- ♦ Los Angeles Radiation Oncology Medical associates v. Ruth Conboy CPA (Superior Court of California 2009)
- ♦ DVI RECEIVABLES XV, L.L.C., v. STEVEN WILLIAM DOGGETT, M.D. (Central District of California 2006)
- ♦ Directv v. Satellite Systems Network (American Arbitration Association)
- ♦ Certain Data Storage Systems, ITC Inv. (2003)

### **Honors and Awards**

- ♦ Honor Roll, Fall 1996, Fall 1997, Spring 1999
- ♦ American Jurisprudence Award in Contracts & Civil Procedure

### **Past Employment Positions**

- ♦ McDermott, Will & Emery, Associate Attorney, 2001 – 2005
- ♦ Blakely, Sokoloff, Taylor & Zapman, Associate Attorney, 2000 – 2001
- ♦ Hon. Justice Sheila Prell Sonenshine at the California Court of Appeal in Santa Ana, California, Clerk

### **Pro Bono Activities**

- ♦ Pro Bono Coordinator at McDermott, Will & Emery, 2002 – 2004

### **Languages**

- ♦ Farsi, Spanish and some French

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