



WILLIAM STEWART

ATTORNEY

LAW OFFICES OF WILLIAM STEWART

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PRACTICES

- Intellectual Property
 - Plaintiff & Defense
 - Patents, Trademarks & Copyrights
- Business Law
- Civil Litigation

ADMISSIONS

- California (2012)
- U.S. District Court, N.D. of California (2013)
- U.S. District Court, E.D. of Texas (2013)
- Applicant for registration with USPTO (2016)
- Patent Trial and Appeal Board (pro hac vice)

WILLIAM STEWART brings a depth of experience and discernment to his law practice from 18 years in software engineering, business development and corporate management at IBM, allowing him to understand the complex challenges faced by his clients.

William works with technology and consumer goods companies to resolve intellectual property and other business disputes whether it is through negotiations or litigation – always keeping his clients’ business objectives in mind. His practice spans the full spectrum of intellectual property litigation and includes patent, trademark, and copyright matters before federal district courts and the Patent Trial and Appeal Board (*pro hac vice*). Mr. Stewart’s practice also includes complex commercial litigation before California state courts, including *Tameny* wrongful termination and California Fair Employment and Housing Act (FEHA) discrimination and retaliation claims, shareholder derivative suits, and priority fights over deeds of trust.

William leads critical efforts in complex litigation, from preparing complaints and answers, discovery, depositions, expert witnesses and damages, to motion practice, such as motions for summary judgment, motions to compel, motions to dismiss and *Daubert* motions. He also develops arguments with respect to claim construction, infringement and invalidity, including preparation of patent rule disclosures of the same, as well as responses to petitions for *Inter Partes* Review. Mr. Stewart has been most successful in obtaining favorable settlements for his clients.

Prior to his law career, William spent 18 years at IBM. As lead software engineer, Mr. Stewart earned a CEO Corporate Technical Achievement Award for the design of an artificial intelligence system. He went on to drive business development across the entire IBM software portfolio in a cross-industry, Fortune 100 territory. Mr. Stewart was named Top Sales Manager in the Americas. At the end of his time with IBM, William led a team of 12 senior architects, supporting its largest customers in the West.

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EXPERIENCE

In his 3 years of practice, William has represented clients in business disputes, particularly patent litigation involving a variety of technologies, including Internet, electronics, software and mechanical devices. William has worked with clients to address international trademark infringement, as well as claims of wrongful termination and corporate malfeasance. He is adept at working with companies requiring coordination across multiple lawsuits, including over 100 suits. His record of leadership and success includes:

- Drove plaintiff's patent damages effort including, damages models, discovery, over 100 expert reports & successful oppositions to Daubert motions, which supported over \$10M in recovery.
- Obtained favorable settlements in 23 cases. Settlements were with small to very large corporations, and resulted in payments ranging from 5 to 7 figures.
- Secured dismissal of lawsuit seeking declarations of no duty to defend and reimbursement, inter alia, thru F. R. Civ. P. 12(b)(6) motion to dismiss.
- Negotiated withdrawal of motion to compel thru vigorous opposition, resulting in significant reduction in plaintiff's demand for supplementation and in savings to client of over 118 hours.
- Forced plaintiff, via a motion for summary adjudication, to amend its complaint in a shareholder derivative action, breach of fiduciary duty and wrongful discharge, inter alia, in Cal. Super. Ct.
- Obtained critical evidence thru taking deposition of FRCP 30(b)(6) designees of over 20 Fortune 100 companies across the nation, under tight deadlines and all within a one-month period.
- As a result of a thorough and insightful deposition, exposed deficiencies in methodology used by defendants' expert witness, a witness with 40 years of experience, and bolstered client's expert.
- Developed strong positions on infringement and purported prior art for early neutral evaluation, prepared statement & made presentation, contributing to highly favorable settlement at ENE.
- Drafted arguments with respect to claim construction, infringement and invalidity, including preparation of related patent rule disclosures and responses to petitions for inter partes review.

REPRESENTATIVE MATTERS

- Defense Counsel, Trademark Infringement ("Craigstruck"); *Craigslist, Inc. v. Deuce Jackson LLC et al* (N.D. Cal. Case No. 3:13-cv-01501)
- Plaintiff Counsel, Patent Infringement (intelligent power distribution, software); *Cyber Switching Patents, LLC v. Server Technology, Inc. et al* (N.D. Cal. Case No. 3:14-cv-02693 and 6 related cases)

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- Defense Counsel, Contract Breach, Shareholder Derivative, Wrongful Termination (wholesale grocer); *Tinucci v. Galli Produce, Inc.* (Santa Clara Super. Ct. Case No. 112-cv-224340)
- Defense Counsel | No Duty to Defend; *National Surety Corp. v. Galli Produce Co. et al* (N.D. Cal. Case No. 5:13-cv-04131)
- Plaintiff Counsel, Patent Infringement (Internet, software, databases); *GeoTag, Inc. v. Frontier Comm. Corp. et al* (E.D. Tex. Case No. 2:10-CV-00265 and 100+ related cases)
- Defense Counsel, Patent Infringement (computer monitor accessories, mechanical devices); *Mass Engineered Design, Inc. v. Planar Systems, Inc.* (E.D. Tex. Case No. 6:14-cv-00414)
- Plaintiff Counsel, Patent Infringement (photographic accessory, mechanical devices); *Photoflex, Inc. v. CowboyStudio* (N.D. Cal. Case No. 3:13-cv-05836)
- Plaintiff Counsel, Patent Infringement (modular computing, mobile phones, TVs); *SmartData, S.A. v. Apple, Inc.* (N.D. Cal. Case No. 4:12-cv-00583 and 3 related cases)
- Counsel, International Trademark Infringement (China); Sun Mountain Sports, Inc.
- Counsel, Allegations of Trademark Infringement; P.M. Lawrence
- Defense Counsel, Unlawful Detainer; *AGP 2619 Mission, LLC v. Zuleta* (San Francisco Super. Ct. Case No. CUD-13-643969)
- Defense Counsel, Civil Restraining Order; *Rivers v. Begert* (San Francisco Super. Ct. Case No. CCH-13-574265)
- Petitioner Counsel, Custody Matters; *Ortega v. Rodas* (Contra Costa Super. Ct. Case No. MSD12-02848)

PRO BONO & COMMUNITY SERVICE

In his pro bono practice, William volunteers for the Bar Association of San Francisco's Justice & Diversity Center and the AIDS Legal Referral Panel. As one example, his client was able to remain in her longtime home in the Mission District after Mr. Stewart obtained dismissal of unlawful detainer action.

Community service is a passion. William clerked at the National Center for Lesbian Rights, was a judicial extern at SF Superior Court's Family Court, and was founding chairperson of OutLaw, an LGBT student association. William raised \$12,000 for the SF Aids Foundation by cycling 2,200 miles between SF & LA.

PROFESSIONAL AFFILIATIONS

- Bar Association of San Francisco (volunteer attorney for the Justice & Diversity Center)
- Contra Costa County Bar Association (provides services to the Moderate Means Program)
- San Francisco Bay Area IP American Inn of Court.
- Bay Area Lawyers for Individual Freedom (Membership Outreach Committee)

EDUCATION

- JFKU College of Law, Pleasant Hill, CA (J.D.) (Housing Advocacy Clinic, public interest law cert.)
- The Ohio State University, College of Engineering, Columbus, OH (B.S. Comp. Sciences) (*Tau Beta Pi*)