



PHILLIP C. SAMOURIS

Phillip Samouris has effectively represented clients in business and commercial litigation for over 20 years.

Mr. Samouris' experience includes partnership and contractual disputes, patent, trademark, copyright and trade secret lawsuits, interference with business relations, investor lawsuits, fraud, and employment issues. He has successfully handled numerous jury trials and arbitrations.

Mr. Samouris recently secured a jury verdict in Orange County Superior Court of more than \$1 million on behalf of his client, who was originally sued as the defendant. He also recently obtained a summary judgment of patent invalidity in the US District Court for the Southern District of California on behalf of growing business in Southern California. He also recently obtained a complete defense award in favor of his client at arbitration, including a large award of attorneys' fees and costs, where the opponent sought over \$2 million in damages from his client.

Mr. Samouris has also developed a specialty in Indian sovereignty claims, effectively representing prominent San Diego County Indian tribes in a variety of matters and disputes.

Mr. Samouris is the past Executive Editor of the University of San Diego Law Review and graduated *cum laude*.

REPRESENTATIVE CASES

- ▶ *Asset Marketing Systems Insurance Services, LLC v. Mister Computer*, 542 F.3d 748, 754 (9th Cir. 2008). Represented Defendant in a copyright infringement case brought by computer programmer. Obtained summary judgment against the computer programmer with an award of attorneys' fees, thus allowing defendant to continue on with business use of technology under an implied license. In a published opinion, the Ninth Circuit Court of Appeal *affirmed* the summary judgment.
- ▶ *Numbers Licensing, LLC, v. bVisual USA, Inc., et al.*, 643 F. Supp. 2d 1245 (E.D. Wash. 2009). Represented Defendant in a copyright infringement case brought by computer programmer. In a published opinion, defendant defeated plaintiff's motion for preliminary injunction, thus allowing defendant to continue to pursue valuable business plan.

PRACTICE GROUPS

- ▶ Business Litigation
- ▶ Intellectual Property
- ▶ Real Estate

EDUCATION

- ▶ J.D., University of San Diego School of Law (cum laude) (1992)
- ▶ B.A., University of California at Santa Barbara (1989)

ADMITTED TO PRACTICE

- ▶ California

AFFILIATIONS

- ▶ State Bar of California
- ▶ San Diego County Bar Association
- ▶ YMCA Camp Board of Management of San Diego County

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REPRESENTATIVE CASES (continued)

- ▶ *Viejas Band of Kumeyaay Indians v. Qwest Communications Corporation*. Represented Plaintiff in trespass action, asserting that Defendant wrongfully installed fiber optic cable and conduits on Plaintiff's property.
- ▶ *Exhart Environmental Systems, Inc. v. Global Product Resources, Inc.* Represented Defendant in a patent infringement case. Obtained a dismissal of the case.
- ▶ *Academy of Motion Picture Arts and Sciences v. Albertson's Inc., et al.* Represented co-defendant in a trademark and copyright infringement case involving the display of the Oscar statuette design.
- ▶ *Pythagoras Intellectual Holdings, LLC v. Steven Stegall, et al.* Represented defendants in patent, trademark and copyright infringement case involving the manufacture, sale and distribution of fireglass. After successful Markman hearing, obtained summary judgment against the plaintiff, thus allowing defendants to continue to pursue valuable business.
- ▶ *Area 55, et al. v. Amazon.com, Inc., et al.*, U.S.D.C., Southern District of California, Case No. 11-145 H (NLS). Represented Amazon.com, Inc. in patent and trademark infringement case.

AWARDS & HONORS

- Super Lawyer[®], Top Rated Business Litigation Attorney (2019-2020)
- San Diego Magazine's "Top Lawyers," Trial Lawyer (2019)
- Rated AV Preeminent[®] in the Martindale-Hubbell[®] Bar Register of Preeminent Lawyers[™]