

Vera M. Elson

RETIRED MEMBER

Litigation

Palo Alto



FOCUS AREAS

Litigation
Patent Litigation
Trial

HIGHLIGHTS

- **Sophisticated Trial and Litigation Experience**
Vera has extensive trial experience in high-stakes cases and has successfully litigated complex multi-patent cases that included trade secret misappropriation, common law, and copyright claims.
- **Intellectual Property Veteran**
Vera has over 25 years of experience handling intellectual property trials and providing strategic counseling for high technology clients.
- **A Recognized Practitioner**
Vera has been recognized as one of the top 250 women in IP worldwide in the 2016 and 2018 editions of *Managing Intellectual Property* magazine's "IP Stars" list, and she has also been recognized as an IP leader by *Chambers USA*.

EXPERIENCE

Vera Elson retired as an intellectual property litigator and lead trial lawyer with decades of experience handling high-stakes patent cases throughout the U.S. Her background in cybernetics and a Master's degree from UCLA in engineering, along with her years of industry experience designing high-speed circuits, made Vera uniquely suited to help her clients navigate and execute IP enforcement and/or defense strategies in fields such as medical devices, robotics, and hardware and software products.

Vera has handled jury trials in district courts throughout the U.S., as well as state court and cases in the International Trade Commission (ITC). Vera and her team secured bet-the-company wins for clients in the life sciences and technology industries. Some examples include:

- defended **Minerva Surgical** in the District of Delaware, securing denials of Hologic's attempts to obtain first a preliminary injunction, and later a permanent injunction, against Minerva on four patents involving medical device applications;
- defended **Seagate Technology** in the Southern District of New York, prevailing on summary judgment in a high-stakes case involving computer storage patents and numerous trade secret misappropriation allegations;
- defended **Extreme Networks** in the District of Delaware, obtaining a jury verdict of no infringement on five network server patents asserted against Extreme by Lucent/AT&T;
- defended **Seagate Technology** in the District of Delaware, obtaining an early dismissal of a patent case related to LiveChat software and a grant of Seagate's attorneys' fees against a recalcitrant indemnitor; and
- defended **Alfresco Software** in the District of Delaware, obtaining an early dismissal of the patents asserted against Alfresco in the area of call center software.

Before embarking on her legal career, Vera worked as an electrical engineer in the Advanced Circuit Technology Lab at Hughes Aircraft designing analog-to-digital converters for use in F16 Fighter radar systems. As an engineer, Vera managed the design, simulation, layout, and testing of her own circuits. Early in her legal career, Vera interned for the late Chief Judge Helen W. Nies at the U.S. Court of Appeals for the Federal Circuit.

Vera serves as a member of the board for the San Mateo Legal Aid Society, of which Wilson Sonsini is a proud sponsor. She is also an author and frequent speaker/panelist at numerous well-known annual patent-related conferences, including the Silicon Valley Association of Legal Counsel's All Hands Meeting, the USC IP Institute, the Sedona Conference, Wilson Sonsini's Medical Device Conference, and Practicing Law Institute.

Further, Vera has received industry recognitions from numerous third-party publications, including as an "IP Star" (*Managing IP*, 2018), a top 250 Women in IP Worldwide (*Managing IP*, 2016 and 2018), a leader in intellectual property (*Chambers USA*, 2005-2011), a "Top 50 Intellectual property Litigators" and "Top Women Litigators" (*Daily Journal*, 2008 and 2009), a "Woman of Influence" (*Silicon Valley Business Journal*, 2008), and as a Northern California Super Lawyer.

In addition to her legal work, Vera enjoys running, boxing, reading, and, most of all, riding her BMW GS 750 motorcycle with friends and family. [Click here](#) to read a *Daily Journal* article about how Vera and other Silicon Valley attorneys compare motorcycling to therapy and discuss how they try to take to the open road whenever possible.

CREDENTIALS

Education

- J.D., University of Southern California, Gould School of Law
- M.S., Electrical Engineering, University of California, Los Angeles
- B.S., Cybernetics, University of California, Los Angeles

Associations and Memberships

- Steering Committee Member, Working Group 10 of the Sedona Conference, 2012

Honors

- Selected for inclusion in the 2018 list of "IP Stars" by *Managing IP* magazine
- Recognized as one of the top 250 women in IP worldwide in the 2016 and 2018 editions of *Managing Intellectual Property* magazine's "IP Stars" list
- Recognized in the 2005-2011 editions of *Chambers USA: America's Leading Lawyers for Business* as a leader in Intellectual Property
- Honored among the *Daily Journal's* "Top 50 Intellectual Property Litigators" in 2008 and 2009
- Recognized as one of the *Daily Journal's* "Top Women Litigators" in California in 2008 and 2009
- Named among *Silicon Valley/San Jose Business Journal's* "Women of Influence" in 2008
- Recognized as a leading intellectual property lawyer by *Legal 500 US*
- Selected for inclusion in *Northern California Super Lawyers*

Admissions

- State Bar of California
- U.S. District Court for the Central District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Eastern District of Texas
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. Patent and Trademark Office

MATTERS

Representative IP Matters in Federal District Courts

- *Hologic v. Minerva* (D. Del.). Representing Minerva. Obtained denial of Hologic's motion for preliminary injunction on patents relating to medical devices.
- *Pragmatus v. Aspect Software* (D. Del.). Represented Aspect in a patent case relating to automated call distribution technology.
- *Pragmatus v. Seagate* (D. Del.). Represented Seagate in a patent case and related indemnity action.
- *Data Speed v. Alfresco* (D. Del.). Represented Alfresco in a patent case related to a SCSI-interface networking system.

- *Nomadix v. HP et al.* (C.D. Cal.). Represented Aruba Networks against claims of patent infringement relating to controllers for secure, large-scale deployments of wireless LANs and access points.
- *Tessera v. ST Microelectronics* (N.D. Cal.). Defended ST Microelectronics against claims including breach of contract and patent infringement.
- *LML v. Deutsche Bank* (E.D. Tex.). Defended Deutsche Bank against patent claims involving a method of conducting ACH transactions. Settled favorably on the eve of trial.
- *Mike's Train House* (W.D. Miss.). Copyright case relating to architectural components.
- *Convolve v. Seagate Technology et al.* (S.D.N.Y.). Represented Seagate Technology in trade secret misappropriation and patent case involving disk drives and GUI interfaces. Prevailed on summary judgment. This case prompted the landmark Federal Circuit decision *In Re Seagate Technology*, in which the CAFC overturned 24 years of precedent in Seagate's favor on the issue of willfulness.
- *TCS v. Sybase II* (E.D. Va.). Defended Sybase in a second patent case brought by TCS involving telecommunications gateways. Settled favorably following Markman.
- *Volumetrics Medical Imaging v. GE Healthcare et al.* (M.D.N.C.). Successfully defended the GE Healthcare and GE Medical Systems in a patent suit involving ultrasound medical imaging technology.
- *Enterasys Networks, Inc. v. Extreme Networks, Inc.* (D. Mass.). Represented Extreme Networks in a patent infringement case (six patents-in-suit) that eventually was stayed pending reexam.
- *Lucent Technologies v. Extreme Networks* (D. Del.). Obtained a complete defense verdict for Extreme Networks in a five-patent case involving network protocols, virtual connections, and blade servers. Obtained one of only two favorable defense jury verdicts out of fourteen patent jury verdicts that year.
- *Legato (now EMC Corp.) v. Network Specialists, Inc.* (N.D. Cal.). Successfully represented Legato/EMC in a patent case involving server backup and storage systems that resolved favorably following summary judgment.
- *Trend Micro Inc. v. Network Associates, Inc. (formerly McAfee)* (N.D. Cal.). Successfully defended Network Associates in a patent case involving virus detection and network security software. The matter settled during trial.
- *Townshend v. Rockwell/Conexant Corp.* (N.D. Cal.). Successfully represented Brent Townshend in a patent infringement and trade secret misappropriation case involving 56K modem technology.
- *Chips & Technologies v. Opti Computer* (N.D. Cal.). Represented OPTi Computer in a DRAM memory patent infringement case.
- *Burr-Brown v. Gain Technology* (Arizona State Court). Represented start-up Gain Technology in a trade secret misappropriation case involving operational amplifier technology. The court ruled in favor of Gain Technology following a bench trial.

Representative Appellate Matters

- *Grail v. Mitsubishi* (California State Court). Represented Mitsubishi Electric U.S. in a breach of NDA case involving SRAM and DRAM memory products.
- *Pioneer Magnetics v. Micro Linear* (C.D. Cal.). Obtained victory for Micro Linear on summary judgment in a patent case involving power amplifiers. Vera argued the appeal, which was affirmed by the Federal Circuit.

Representative ITC Sections 337 (Patent) Actions

- *In the Matter of Certain Mobile Telephone Handsets, Wireless Communication Devices, and Components Thereof*. Represented Qualcomm in a patent infringement action brought by client against Nokia Corporation and Nokia, Inc.
- *In the Matter of Certain Voltage Regulator Circuits*. Represented Linear Technology in a successful patent infringement action brought by client against Monolithic Power Systems.
- *In the Matter of Certain Integrated Circuit Chipsets, Components Thereof and Products Containing Same*. Represented VIA Technologies in the successful resolution of a breach of license and patent infringement action brought by Intel Corp. against client.
- *In the Matter of Certain CD-ROM Controllers and Products Containing Same II*. Represented United Microelectronics Corporation (UMC) in a patent infringement action brought by Oak Technologies against client, one of the largest integrated circuit foundries in Taiwan. The ALJ found in favor of client.
- *In the Matter of Certain Static Random Access Memories*. Represented United Microelectronics Corporation (UMC) in a SRAM patent action brought by SGS-Thomson Microelectronics, Inc. against client. Successfully resolved before the hearing.

- *In the Matter of Certain Low Power Computer Hard Disk Drive Systems and Products Containing Same*. Represented Conner Peripherals in a power management patents action brought by client against IBM. Successfully resolved before the hearing.
- *In the Matter of Certain Microcomputer Memory Controllers, Components Thereof and Products Containing Same*. Represented OPTi Computer in a memory controller patents action brought by Chips and Technologies, Inc. against client and co-defendant ETEQ Microsystems, Inc. Successfully resolved before the hearing.

INSIGHTS

Select Publications

- Co-author with S. Rose, "Section 101: Should the Clear and Convincing Standard Apply?" *Law360*, September 28, 2015
- "Change In Marking Statute Would Curtail Troll Litigation," *Law360*, March 3, 2015
- "Minority Powerbrokers Q&A," *Law360*, February 2, 2015
- "Federal Circuit Ruling Provides Guidance for Showing Worldwide Damages," *Daily Journal*, April 10, 2013
- Co-author, "Proving Worldwide Damages in Patent Infringement Disputes," *Los Angeles Daily Journal*, January 28, 2013
- Co-author, "Why Patent Assertion Entities Are Transitioning to the ITC," *Law360*, January 25, 2013
- "The Waiver of Attorney-Client Privilege & Use of Non-Liability Opinions After *In re Seagate*," *The Sedona Conference Journal*, October 2008
- "Reviewing Competitors' Patents: Are There Risks?" *Strategic Patenting Manual*, Spring 2000
- "Throw a Party, Lose Your Patent Rights!" *Design News*, April 10, 1995

Select Speaking Engagements

- Panelist, "IP at the Supreme Court Series: *Minerva Surgical, Inc. v. Hologic, Inc.*," Program on Information Justice and Intellectual Property, American University Washington College of Law, April 21, 2021
- Faculty, "From Servers to Car Dealerships: Venue and Transfer," 20th Annual Berkeley-Stanford Advanced Patent Law Institute: Silicon Valley, 2019
- Faculty, "Post-Grant Patent Trials," Practising Law Institute's Litigation Section, 2013
- Faculty, "Damages Update," Advanced IP Track, Silicon Valley Association of General Counsels All-Hands Meeting, 2012
- Faculty, "Damages: Comparable Licenses," Practising Law Institute's Litigation Section, 2012
- Faculty, "Joint Infringement," Advanced IP Track, Silicon Valley Association of General Counsels All-Hands Meeting, 2011
- Faculty, "An Overview of the America Invents Act," Berkeley Conference on Law & Technology, 2011
- Faculty, "Juror Perceptions in a Patent Case," Practising Law Institute's Litigation Section, 2011
- Faculty, "The Impact of the Ariad *En Banc* Decision," Practising Law Institute's Litigation Section, 2010
- Faculty, "Mock Direct and Cross-Examination of an Expert," Practising Law Institute's Litigation Section, 2007 and 2009
- Faculty, Panel Discussion of Recent Seminal Cases, The Sedona Conference, 2008