

James C. Yoon

PARTNER

Litigation

Palo Alto

jyoon@wsgr.com
650-320-4726



FOCUS AREAS

Litigation

Patent Litigation

Trade Secret Litigation

HIGHLIGHTS

Intellectual Property Veteran

James has more than 25 years of experience as a trial lawyer, patent litigator, counselor, and IP strategist.

Extensive Litigation Experience

He has litigated over 200 patent cases and has tried numerous cases in federal courts, state courts, and at the International Trade Commission.

Active IP Counseling Practice

James has advised over 100 companies on IP issues in a variety of transactions, including patent license agreements, patent purchase agreements, private equity investments, IPOs, and corporate mergers.

A Recognized Practitioner

James is consistently recognized as a leading IP attorney by *Northern California Super Lawyers* and has been honored by *The International Who's Who of Patent Lawyers*, *The IAM Patent 1000*, and *Bay Area Lawyer*.

EXPERIENCE

James Yoon is a leader of the patent trial and litigation practice at Wilson Sonsini Goodrich & Rosati. James has more than 25 years of experience as a trial lawyer, patent litigator, counselor, and IP strategist. He has litigated over 200 patent cases and has tried numerous cases in federal courts, in state courts, and at the International Trade Commission. He has also litigated major disputes in arbitration.

James has an active strategic patent counseling practice. He has advised over 100 companies on patent related issues in a wide variety of transactions, including patent license agreements, patent purchase agreements, private equity investments, initial public offerings, and corporate mergers. As part of these transactions, James is frequently involved in risk assessments, valuations, forecasts, and analytical modeling.

In both his patent litigation and strategic counseling practices, James has been a pioneer in the use of data analytics in legal decision making, strategy development, and risk assessment. James has worked with leading data analytic firms to improve their tools and provide greater value to clients and the practice of law.

James served as a member of the committee that developed the original and the revised versions of the Model Patent Jury Instructions for the Northern District of California. James is a Lecturer-in-Law

at Stanford Law School, where he is a trial advocacy instructor and teaches a course on the economic and technological forces transforming the private practice of law. He is also an adjunct professor (Lecturer-in-Law) at Santa Clara University School of Law, where he teaches a course in patent and trade secret litigation. He has published numerous scholarly and professional articles and book chapters and is a columnist on patent law and litigation for the *ABTL Report* of the Northern California Chapter of the Association of Business Trial Lawyers (ABTL).

In 2013 and 2014, James was listed in the *International Who's Who of Patent Lawyers*. From 2009 to 2021, he has been selected for inclusion in the annual list of *Northern California Super Lawyers* in the field of Intellectual Property Litigation. In 2006, *Bay Area Lawyer Magazine* named James one of the "Top Lawyers in the Bay Area" for Intellectual Property law.

James has served on numerous firm committees, including Wilson Sonsini's Compensation, Partner Nominating, Board Nominating, Policy and Business Development, and Associate Development committees.

James is a member of the board of directors of the Palo Alto Bar Association, and a member of the High Tech Advisory Board for Santa Clara Law School. He is a former member of the board of directors and former co-chair of the Partner Committee of the Asian Pacific American Bar Association Silicon Valley (APABA-SV). He is also a former member of the board of directors of the Asian Pacific American Bar Association Silicon Valley Charity.

Prior to joining the firm, James served as a law clerk to Chief Judge Alan C. Kay in the U.S. District Court for the District of Hawaii. He was previously an electrical engineer for General Motors Corporation, where he worked for many different operations, including the General Motors Technological Center (Warren, Michigan), Opel Motors (Russelsheim, Germany), Vauxhall Motors (Luton, England), and GM's Cadillac Assembly Plant (Detroit, Michigan).

CREDENTIALS

Education

- J.D., Stanford Law School, 1993
Articles Editor; Stanford Law Review; *Chairman, Stanford Asian Law Students Association*; *Chairman, Stanford International Law Society*; *Secretary, National Asian Pacific Law Students Association*
- B.S., Electrical Engineering, GMI Engineering & Management Institute, 1990
Sobey Scholar; *GMI Alumni Association Travelship Winner, 1989*

Honors

- Named in the 2022-2023 editions of *IAM Patent 1000 – The World's Leading Patent Practitioners*
- Recognized in the 2013, 2014, 2016, 2017, and 2019-2022 editions of *International Who's Who of Patent Lawyers*
- Named in the 2009 to 2022 editions of *Northern California Super Lawyers*

Admissions

- State Bar of California
- Multiple U.S. District Courts
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Patent and Trademark Office

MATTERS

Notable Cases

- ***VB Assets v. Amazon (D Del)***. James was lead trial counsel for the plaintiff VB Assets in a multi-patent case against Amazon and its Alexa/Echo virtual assistant and voice commerce platform. After a one-week trial, the jury found that Amazon willfully infringed all four asserted VB Assets patents and awarded \$46.7 million in damages. The jury also confirmed that the form of the reasonable royalty damages was a "running royalty," which was a strategic and important outcome for VB Assets' patent licensing and enforcement program.
- ***Epistar Corporation v. Lowe's Companies, Inc. et al. (CD Cal)***. James was lead trial counsel for the plaintiff Epistar in a multi-patent, strategic case against Lowe's Companies, Inc. and Lowe's Home Centers, LLC. After a seven-day trial, the jury awarded Epistar a verdict of willful infringement on three Epistar patents. The jury also awarded reasonable royalty damages at an

effectively royalty rate that confirmed the value of Epistar patents and validated Epistar's licensing program.

- ***Cyntec v. Chilisin Electronics* (N.D. California)**. James was lead trial counsel for the plaintiff Cyntec in a multi-patent, competitor case against its rival Chilisin Electronics. After an eight day trial, the jury entered awarded Cyntec a verdict of direct infringement, induced infringement and willful infringement on all patents. The jury awarded lost profits and reasonable royalty damages.
- ***Avid Technology v. Harmonic* (D. Delaware)**. James represented defendant Harmonic as lead trial counsel in a multi-patent, competitor case. Plaintiff Avid asserted claims of willful infringement, induced infringement, and contributory infringement against Harmonic and its shared video storage systems. After a two-week trial, the jury returned a verdict of non-infringement on both patents in favor of Harmonic.
- ***MaxLinear v. Silicon Labs* (S.D. California)**. James represented declaratory plaintiff MaxLinear as lead counsel in a 20-patent, competitor case against Silicon Labs. Silicon Labs asserted that MaxLinear hybrid TV tuners infringed numerous Silicon Labs patents. After successfully defeating Silicon Labs' motion for preliminary injunction and obtaining a positive claim construction ruling, the case settled on favorable terms for MaxLinear.
- ***Panavision v. Omnivision* (C.D. California)**. James represented defendant Omnivision as lead counsel in a competitor patent case. Panavision asserted numerous claims against Omnivision CMOS image sensors. The case ended when James obtained summary judgment of non-infringement and patent invalidity against Panavision's patent.
- ***Advanced Display Technologies v. HTC* (E.D. Texas)**. James represented defendant HTC as lead counsel against plaintiff Advanced Display Technologies in a patent case relating to the design of LCD panels. After claim construction, the court granted summary judgment of invalidity on the key asserted patent, which resulted in a favorable early settlement for the client.
- ***Intel v. Broadcom* (D. Delaware)**. James was one of the lead lawyers representing defendant Broadcom Corporation in a multi-patent, competitor case. Intel asserted that Broadcom MPEG decoder cable set-top boxes infringed one of its video patents. After a five-week trial, a jury found that the accused Broadcom products did not infringe the Intel video patent. *The National Law Journal* ranked the case as a "Top Defense Win" for patent cases.
- ***SanDisk Corporation v. Lexar* (N.D. California)**. James successfully argued the motion for summary judgment of infringement in a patent suit between SanDisk and its chief competitor in the flash memory card market, Lexar. The grant of summary judgment of infringement against Lexar resulted in a highly favorable settlement for SanDisk.

CLIENTS

Select Clients

- Belkin
- Bungie
- Calabrio
- Cyntec
- Epistar Corporation
- fuboTV
- Harmonic
- HTC Corporation
- MaxLinear
- MediaTek
- Micron
- OmniVision Technologies
- Playtech
- SanDisk Corporation
- Tessian
- Visa

INSIGHTS

Select Publications

- "Artificial intelligence and the zealous litigator," *Research Handbook on Big Data Law*, May 2021
- Co-author with B. Love, "Predictably Expensive: A Critical Look at Patent Litigation in the Eastern District of Texas," *Stanford Technology Law Review*, Vol. 20, No. 1, 2017
- Co-author with B. Love, "Expanding Patent Law's Customer Suit Exception," 93(5) *Boston University Law Review* 1605-41, October 2013
- "On Patents," *ABTL Report*, Vol. 22, No. 1, Spring 2013
- "On Patents," *ABTL Report*, Vol. 21, No. 1, Winter 2011/2012
- "On Patents," *ABTL Report*, Vol. 20, No. 1, Winter 2010/2011
- "On Patents," *ABTL Report*, Vol. 19, No. 1, Fall 2009
- "Fictional Characters, Story Telling and Patent Trials," *Law360*, March 20, 2009
- "On Patents," *ABTL Report*, Vol. 18, No. 1, Fall 2008
- "On Patents," *ABTL Report*, Vol. 17, No. 1, Fall 2007
- "On Patents," *ABTL Report*, Vol. 16, No. 1, Winter 2006

- "On Patents," *ABTL Report*, Vol. 15, No. 1, Fall 2005
- "On Patents," *ABTL Report*, Vol. 14, No. 1, Fall 2004