

# KRISTIN L. CLEVELAND

PARTNER

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## OVERVIEW

Kristin's practice focuses exclusively on intellectual property litigation, including patent, trademark, and trade dress cases. She has extensive experience handling all phases of litigation, from obtaining favorable results in early motion practice, to efficient management of cases through discovery, claim construction, summary judgment and trial. She has a national trial practice, litigating in federal district courts around the country, and has argued at the Federal Circuit. Kristin is the chair of the Litigation practice group, serves on the firm's management committee, and has served in the past as the firm's managing partner.

Kristin's knowledge of patent damages is well respected in the industry. In addition to being a regular presenter on the topic, she was a past chair of the Damages Subcommittee of the American Intellectual Property Law Association (AIPLA) Patent Litigation Committee. In patent cases, Kristin's strategy is to collaborate with damages experts early in the case to develop effective and compelling theories of patent damages to present to juries and judges, as well as encourage early pre-trial settlements.

Kristin is also committed to increasing diversity within the firm and the profession at large. In addition to mentoring and encouraging other female attorneys, she has helped coordinate the firm's partnership and support of AIPLA's Women in IP Law Committee.

Kristin joined Klarquist in 1999 as a lateral associate and became partner in 2004.

## PROFESSIONAL EXPERIENCE

- ▶ Arnold & Porter | Associate, 1996 – 1999 | Washington, D.C.  
*Worked on a variety of litigations including intellectual property, products liability, and civil and criminal antitrust.*
- ▶ Office of the United States Trade Representative | Legal Intern, 1994 – 1996 | Washington, D.C.
- ▶ Office of the Legal Advisor, International Claims and Investment | Legal Extern, 1995 | Washington, D.C.

## EDUCATION

J.D. with Honors, George Washington University School of Law, 1996

B.A., Economics, Bard College, 1991

## ADMISSIONS

Oregon, 2000

Hawai'i, 2012

District of Columbia, 1997

California, 1996

## PRACTICE AREAS

Litigation

## TECHNOLOGY AREAS

Software & Internet Technology

**Klarquist**

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## PROFESSIONAL ACTIVITIES

- ▶ Member and Past Chair, AIPLA Patent Litigation Committee's Damages Subcommittee
- ▶ Publication Staff, AIPLA Quarterly Journal, 1995 – 1996
- ▶ Member, CHiPS

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## HONORS & AWARDS

- ▶ 2020-2021 *IAM Patent 1000: The World's Leading Patent Professionals*

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## REPRESENTATIVE CASES

Cases on which Kristin has acted as counsel include the following (represented party underlined):

- ▶ *Waveform Technologies, Inc. v. Dexcom, Inc.* (D. Or.): Invalidated patent claims on summary judgment in medical device competitor case.
- ▶ *Operation Technology v. CYME* (C.D. Cal.): Obtained an \$8.4 Million jury verdict in a false advertising case, one of the nation's largest false advertising verdicts in 2016. After the trial, the Judge complimented us and Jones Day (representing the defendant): "This case was tried in an exceptional professional and efficient manner. Everything was done the right way and in a timely fashion. I think it was a great benefit to the jury in appreciating the case and certainly a great benefit for me presiding over it. So I thank you for your hard work."
- ▶ *Synopsys v. Mentor Graphics*, Case No. 12-cv-06467 (N.D. Cal.): Represented an EDA company in competitor, multi-patent litigation. Won partial summary judgment that patents claimed ineligible subject matter, under § 101. Case currently stayed pending patent office proceedings.
- ▶ *Metasearch Systems, LLC v. Priceline.com, Travelocity.com, Expedia, Orbitz, & American Express*, Case No. 1-12-cv-01191 (D. Del.): Defended group of online travel companies against seven patents related to metasearching. Case was stayed and then dismissed after defeating the asserted claims in patent office proceedings.
- ▶ *A Pty v. eBay*, Case No. 1-15-cv-00155 (W.D. Tex.): Represented eBay on case involving email communication systems. The complaint was dismissed on a Rule 12 motion, as the Court found the asserted patent invalid as claiming ineligible subject matter, under § 101.
- ▶ *Interval Licensing v. eBay, Netflix, Office Depot, Staples et al.*, Case No. 2-10-cv-01385 (W.D. Wash.): Represented multiple defendants in patent infringement litigation involving recommendation functionality on web commerce sites.
- ▶ *Research Corporation Technologies v. Microsoft*, Case No. 01-cv-0658 (D. Ariz.): Defended Microsoft against six asserted patents regarding halftoning technology.
- ▶ *University of Washington v. General Electric*, Case No. 10-cv-01933 (W.D. Wash.): Patent litigation involving ultrasound technology. Case stayed pending reexamination and then dismissed with prejudice.
- ▶ *Aristocrat v. IGT*, Case No. 06-cv-3717 (N.D. Cal.): Represented IGT in multi-patent case, asserting infringement by slot machines.