



Brian C. Vanderhoof
515 South Flower Street, Suite 1100
Los Angeles, CA 90071
Direct: (213) 312-2031
Office: (213) 312-2000
Fax: (213) 312-2001
Email: bvanderhoof@rmkb.com
Web: www.rmkb.com

Brian C. Vanderhoof is a senior associate in Ropers Majeski's Intellectual Property Litigation Practice. His practice focuses on business and intellectual property matters including disputes arising in the areas of copyright, trademark, patent litigation, misappropriation of trade secrets, defamation, unfair competition, contract and rights of publicity. Mr. Vanderhoof is part of a seven attorney intellectual property litigation and trial team in Roper Majeski's Los Angeles office.

Mr. Vanderhoof has significant federal and state courtroom experience with first and second chair trial experience in bench and jury trials. He has significant experience in taking and defending depositions. Mr. Vanderhoof has an extensive law-and-motion background which includes defending motions for preliminary and permanent injunctions, pursuing and defending summary judgment motions, prosecuting sanctions motions necessitated by his adversary's discovery abuse, preparing pre-trial and trial submissions, and pursuing and defending post-trial motions for attorney's fees. He is also adept in all aspects of electronic discovery, having managed major electronic discovery projects involving millions of pages of documents.

Recent representative matters in which Mr. Vanderhoof has been involved include examining witnesses during a four week jury trial pertaining to claims of trademark infringement and misappropriation of trade secret; obtaining partial summary judgment on claims for copyright infringement; achieving a discovery sanctions award which shifted momentum in the client's favor and ultimately caused a trademark and copyright infringement action to settle despite potential exposure in the multi-million dollar range; and successfully obtaining an order appointing a receiver in a partnership dispute.

In 2006, Mr. Vanderhoof earned his J.D. from The University of La Verne College of Law. In 2000, he earned a Bachelor of Science degree in Business Administration with an emphasis in Marketing Management from California Polytechnic University at Pomona.

Mr. Vanderhoof is admitted to practice in the federal and state courts in the states of California and Nevada.

Practice Areas

- Business And Commercial Litigation
- Intellectual Property

Education

- California State Polytechnic University, Pomona, 2000 B.S.
- University of La Verne College of Law, 2006 J.D.

Court Admissions

- California
- Nevada
- USDC: Central District of California
- USDC: District of Nevada
- USDC: Northern District of California
- USDC: Southern District of California

Representative Experience

Practice Area: Advertising Injury, Insurance Services

Key Issues: Internet Defamation

Venue: Los Angeles County Superior Court

Client Type: Defendant; New Employer, Iron Door Manufacturer

Client hired former employee of plaintiff to manage Pasadena showroom. Employee had tumultuous relationship with former employer, who had called former employee's developmentally disabled son a "pumpkin headed retard." Employee, while at work, wrote disparaging comments about former employer on website "pissedconsumer.com." Former employer sued for defamation and trade libel. Co-defendant was franchisor of iron door manufacturer who sued client for defense and indemnity pursuant to franchise agreement.

Result:

Settled on day of trial for \$1,500. This was 10 days after settlement demand for \$140,000. Franchisor co-defendant settled indemnity and defense claim for waiver of costs.

Practice Area: Advertising Injury, Insurance Services, Intellectual Property, International Trademark

Key Issues: Misappropriation of Likeness

Venue: USDC: Central District of California

Client Type: Real Estate Broker

Client, real estate broker retained an independent contractor as a business broker. Previously, the business broker owned a franchise of plaintiff, but was forced to file bankruptcy due to economic conditions in 2009. Plaintiff sued broker and client for copyright infringement, trademark infringement and unfair business practices.

Result:

Settled day before trial for \$32,500. Demand three days before settlement was \$1 million.

Practice Area: Advertising Injury, Insurance Services, Intellectual Property

Key Issues: Photograph Copyright Infringement; Internet Copyright Infringement

Venue: USDC: Central District of California, Southern Division

Client Type: Restaurant/ Nightclub

Client operated trendy nightclub/restaurant and hired plaintiff to photograph menu entrees for use in local magazine advertising. Photographer sued alleging violation of license to use photographs for limited purpose.

Result:

Settled \$21,500 early in litigation.

Practice Area: Advertising Injury, Copyright, Domain Name and Trademark Litigation, Insurance Services, Intellectual Property

Key Issues: Trademark Infringement; Misappropriation of Trade Secrets; Unfair Competition

Venue: Orange County Superior Court

Client Type: Semiconductor Distributor

Client started electronic component distribution company in 1982, which was bought by another company in 1995. The new company kept client as general manager and initiated a new software program for inventory control that failed miserably. As a result, it was forced into bankruptcy. The assets were purchased by plaintiff,

including all trademarks. The client, believing that the semiconductor division was closing for good, started a new company using the old name and logo.

Result:

Directed verdict for client on claim for conversion. Jury verdict for client on claims for intentional interference with prospective economic advantage and misappropriation of trade secrets. Verdict for plaintiff on trademark infringement for \$396,000. Plaintiff asked jury to award \$1.8 million and pre-trial settlement demand was \$1 million.

Practice Area: Advertising Injury, Insurance Services

Key Issues: Defamation; Trade Libel; Breach of Contract

Venue: Los Angeles County Superior Court

Client Type: T-shirt Manufacturer

Client manufactures t-shirts. Entered into a contract with a screen printing and licensing company which held licenses for popular comic strip characters. Client sued screen printing and licensing company for breach of contract under the agreement to make t-shirts with the characters on them. Screen printing and licensing company cross-complained including a claim of defamation for statements made by client to other t-shirt manufacturers.

Result:

Settled for confidential sum, with client receiving favorable settlement on breach of contract claim.

Practice Area: Advertising Injury, Insurance Services

Key Issues: Misappropriation of Likeness; Trademark Infringement; Internet Advertising

Venue: Los Angeles County Superior Court

Client Type: Hair Extension Store

Plaintiff was assignee of rights to an actress who used hair extensions purchased from a human hair extension store. Client was former employee who believed had an ownership interest in the store. Opened her own store with slightly different name, but used part of the name of former employer and put photographs of actress in store and on website as endorsement.

Result:

Settled for a small amount.