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Courtney E. Curtis is a senior associate in Ropers Majeski's Intellectual Property Litigation Practice. Ms. Curtis focuses her practice on a variety of litigation and counseling issues involving copyrights, trademarks, design patents, misappropriation of trade secrets, rights of publicity, and unfair competition. She is part of a seven attorney intellectual property litigation team that works out of Ropers Majeski's Los Angeles office.

Ms. Curtis has a significant litigation background in federal and state court that includes second-chair trial experience, handling preliminary and permanent injunctions, preparing and arguing summary judgment and trial motions, and managing complex electronic discovery. She also has considerable experience negotiating and drafting settlement agreements involving intellectual property rights and in advising clients in connection with various other trademark and copyright matters.

Ms. Curtis was part of a trial team that successfully defended a start-up test preparation company against claims for trade secret violations, breach of loyalty, internet defamation, and unfair competition during a three month jury trial. A few highlights of her professional experience also include: preparation of a summary judgment motion that successfully extricated a high-end furniture design company from liability in a trademark matter; preparation of a winning brief in a two week binding arbitration involving extra-territorial application of the Lanham Act, which shielded clients from multi-million dollar exposure to liability for alleged infringing foreign sales; negotiating dismissal of claims for copyright infringement asserted against client, a well-known national retail chain, at the pre-answer stage of litigation; preparation of a successful summary judgment motion in a copyright infringement litigation on a novel issue involving statutory interpretation, where plaintiff's registrations were obtained improperly.

Ms. Curtis received her J.D., *cum laude*, from Southwestern University School of Law in 2006 where she was an editor for the Southwestern Law Review. She is the author of *Under the Section 2 Microscope: Do Pfizer's Bundled Rebates and Exclusive Dealing Contracts Violate the Sherman Antitrust Act?* Ms. Curtis also competed as an oral advocate for Southwestern's Honors Moot Court Team.

Ms. Curtis is admitted to practice in all courts, both federal and state, in California.

## Practice Areas

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- Business And Commercial Litigation
- Intellectual Property

## Education

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- California State University, Long Beach, 2003 B.S.

cum laude

- Southwestern Law School, 2006 J.D.  
cum laude

## Representative Experience

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**Practice Area:** Intellectual Property, Patent Prosecution, Licensing and Litigation

**Key Issues:** Unfair Competition; Patent Invalidity

**Venue:** USDC: Central District of California

**Client Type:** Defendant; Appliance Recycling Center

The plaintiff, the nation's only publicly traded appliance recycling company, sued defendant an upstart competitor for unfair competition and patent invalidity. The defendant's patent was for the incineration of CFC-11 found in polyurethane foam in refrigeration appliances. Plaintiff claimed the patent was obvious art, invalid and that the defendant's publicizing of the patent in responses to bids from utility companies comprised unfair competition in misleading the public. Defendants had secured several large recycling projects from Southern California Edison, Sacramento Municipal Utilities District and Pacific Gas and Electric which otherwise would have gone to plaintiff. Plaintiff sought damages of \$3-5 million (its estimated profit from the recycling contracts over three years).

**Result:**

After the initial trial date, a 9th Circuit Court of Appeal opinion issued adopting a 5th Circuit Court of Appeal decision requiring that the publication of the patent be made "in bad faith." A previously filed motion for summary judgment urged the trial court to adopt the standard, but the court refused and denied the motion. A renewed motion for summary judgment was filed after the 9th Circuit opinion and the court granted summary judgment for the defendant and ordered plaintiff to pay defendant's costs of suit.

## Publications

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- Author, Does a Stock Photography Agency's Copyright Registration Extend to Each Photography Contained in Its Database?, *New Matter Winter 2011 Volume 36, Number 4*, December 1, 2011