

Sharif E. Jacob

Sharif E. Jacob designs strategies to win and resolve high-stakes litigation. He has successfully tried commercial, patent, and civil rights actions. His practice focuses on complex business disputes, intellectual property litigation, civil enforcement actions, and white collar criminal matters. In addition to his work at Kecker & Van Nest, Mr. Jacob serves as an Adjunct Professor at the University of California, Hastings College of the Law.

Mr. Jacob has extensive experience with patent litigation. He represents leading firms in the video streaming, social networking, and wireless phone industries in disputes pending before the district courts, the International Trade Commission, and the Patent and Trademark Office.

Mr. Jacob has repeatedly litigated actions advancing the constitutional rights of inmates. He has won judgments and appeals for prisoners locked in solitary confinement or brutalized in prison. His pro bono work has led to systemic reform of California's prison system and has been covered by the national press.

Mr. Jacob graduated first in his class from Hastings and received his undergraduate degree from Yale University. After law school, Mr. Jacob clerked for the Honorable Mary M. Schroeder of the Ninth Circuit Court of Appeals.

CASES OF NOTE

In the Matter of Certain Products Containing Interactive Program Guide and Parental Control Technology: We defended our clients Netflix, Inc. and Roku Corporation in a U.S. International Trade Commission complaint filed by Rovi Corporation. The complaint accused our clients, along with Mitsubishi Electric Corp., LG Electronics Inc., and Vizio Inc., of infringing several patents related to interactive program guides. The complaint sought an order banning television and media-player makers from entering the U.S. By the time of the trial, the other defendants had all settled and our clients faced four patents. We successfully defended our clients, with the ALJ finding one of the patents invalid and none of the patents infringed, as well as no actionable importation or available remedy. The ITC reviewed the entire investigation and confirmed there was no violation.

Apple Inc. v. HTC Corp: We served as lead counsel for HTC, a Taiwan-based manufacturer of handheld devices, in its battle with Apple over smartphone technology. Apple first sued HTC in district court and before the International Trade Commission (ITC), claiming our client had infringed on 20 patents related to various computer-related technologies, including user interfaces, operating systems, power management, and digital signal processing. The ITC hearing that went to decision resulted in a favorable ruling, and HTC obtained a settlement to become the first Android handset maker licensed by Apple.

M&H Realty Partners v. Aerojet-General Corporation: We represented M&H Realty Partners in a multi-million dollar breach of indemnification agreement and tort action against Aerojet and Boeing. The case concerned environmental contamination in Fullerton, California.

evYsio Medical Devices v. Advanced Cardiovascular Systems: We represented evYsio Medical Devices in asserting patents for its cardiac stent technology. Prior to jury selection, the case became part of a global settlement between Medtronic and Abbott. Our client, the inventor of several stents in the suit, received \$42 million as part of the settlement.



Sharif E. Jacob

PARTNER

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Education

UC Hastings College of the Law,
J.D., *summa cum laude*, 2007

Yale University, B.A., 2000

Clerkships

Hon. Mary M. Schroeder

U.S. Court of Appeals for the Ninth
Circuit, 2007-2008

Bar Admissions

California

News

Keker & Van Nest Elevates Three Attorneys to Partner

12/15/2014 — We are pleased to announce the elevation of Simona Agnolucci, Sharif Jacob and Khari Tillery to partner.

Keker & Van Nest Fends off Intrusive Demands and Secures Sanctions for Client Netflix

07/09/2014 — A federal judge refused to force Netflix Inc. to comply with Straight Path IP Group's "oppressive" subpoena demanding depositions, source code and more for its patent suits, finding Tuesday that Netflix is a nonparty in the cases and Straight Path may face sanctions.

Sharif Jacob Secures Release of Pro Bono Client

06/27/2014 — The client whose case has shaped California's parole system is released.

LG, Toshiba Seek New ITC Penalty For Last-Minute Withdrawal

05/09/2014 — Kecker & Van Nest team called for a change to the ITC rules that would enable the agency to punish companies abandoning patent infringement cases at the last minute.

Keker & Van Nest Pro Bono Settlement Will Shape California's Parole System

National Union Dispute: We represented a national union in a dispute with another union, as well as during the initial stages of a federal court case.

Henderson v. Petersen et al: We represented a prisoner in a civil rights suit against three correctional officers who beat him in Pelican Bay State Prison and one officer who failed to intervene to stop the beating. After the plaintiff's case survived summary judgment, the federal court asked us to step in and represent him at trial. Following a five-day trial and five hours of jury deliberation, Defendants settled the case for nearly twice the number the plaintiff presented to the jury.

AWARDS AND HONORS

- Executive production editor, *Hastings Law Journal*
- Order of the Coif
- Thurston Society
- Academic Excellence Scholarship
- Roger J. Traynor Student Writing Scholarship Andrew G. Pavlovsky Memorial Scholarship

PUBLICATIONS AND SPEAKING ENGAGEMENTS

- Co-author, "State Antitrust Law and Intellectual Property," Chapter 12 of the *California Antitrust and Unfair Competition Law, Revised Edition*, 2014
- Presenter, "Antitrust Issues Stemming From Abbreviated New Drug Application (ANDA) Disputes," Bloomberg, 2012
- Co-author, "ANDA Litigation: Strategies and Tactics for Pharmaceutical Patent Litigators," American Bar Association, 2012
- Co-author, "**Antitrust Issues that Arise in ANDA Disputes**," *Bloomberg BNA Pharmaceutical Law & Industry Report*, 2012
- Co-author, "U.S. Supreme Court Decisions on Criminal Law and Related Topics, October 2005-2006 Term," *The State of Criminal Justice*, 2006, 2007
- "Deficits in Language Mediated Operations in Patients with Schizophrenia," 53(3) *Schizophrenia Research*, 2002

12/17/2013 — The settlement gives inmates an incentive to work toward parole eligibility, eases California's financial strain and prison overcrowding crisis.

ITC Confirms Groundbreaking Patent Victory on Behalf of Netflix

11/01/2013 — The U.S. International Trade Commission affirmed an ITC judge's ruling that Keeler & Van Nest's client Netflix Inc.'s streaming software didn't infringe digital entertainment technology company Rovi Corp.'s patented parental control and program guide technology.

Ashok Ramani Leads Netflix to Victory in Groundbreaking ITC Patent Case

06/10/2013 — The multi-patent case involved novel arguments which tested the ITC's definition of "unfair foreign competition."

On Behalf of HTC, Keeler & Van Nest Secures Deal To End Smartphone Patent Suits

11/14/2012 — As lead counsel for HTC, we helped our client reach a global settlement that includes the dismissal of all current lawsuits and a 10-year license agreement.

Events

Antitrust Issues Stemming From Abbreviated New Drug Application (ANDA) Disputes

06/20/2012 — Asim Bhansali and Sharif Jacob will lead this webinar brand and generic drug companies' in-house counsel.

eDiscovery: Why to Care About It and How Not to Let It Ruin Your Life

05/03/2011 — Laurie Mims will moderate this panel, which features Sharif Jacob and other young practitioners.