



Sam Stake

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Biography

Sam Stake is a partner in Quinn Emanuel's San Francisco office. He joined the firm in 2008. His practice focuses on resolving complex intellectual property and other commercial disputes, with an emphasis in patent, trade secret, privacy, product liability, antitrust, and contract issues. His work has spanned many fields and industries, including robotics, blockchain, biotech, AI, cloud, radiotherapy, UI/UX, medical devices, neurosurgery, integrated circuits, optics, and computer security. He has represented companies and individuals in federal and state courts across the United States, in international arbitration before the ICC and AAA, and in many federal appellate matters.

Representative Clients

- Fitbit
- DJI
- Genentech
- Google
- Mazor Robotics
- MediaTek
- Proofpoint
- Salesforce
- Samsung
- Symantec
- Varian Medical
- Zendesk

Notable Representations

- Represented Varian Medical Systems in a global patent litigation dispute against its primary competitor Elekta involving numerous patents on cancer treatment technologies across numerous jurisdictions including the International Trade Commission, District of Delaware, Northern District of California, Germany, and the United Kingdom. Obtained a highly favorable settlement for Varian, after an ITC victory on behalf of Varian in which Elekta was found to infringe multiple, valid patents owned by Varian.
- Represented Twitter and Glam Media in a patent litigation brought in the Northern District of California involving software for distributed processing of large data sets. The Court granted Twitter's and Glam Media's motion for judgment on the pleadings, finding the patents-in-suit invalid for failure to claim patent-eligible subject matter under 35 U.S.C. § 101.
- Represented Samsung in a series of patent, design patent, and trade dress disputes with Apple in the Northern District of California and Federal Circuit.
- Represented Symantec as trial counsel in a patent action filed by Finjan in the District of Delaware involving two patents relating to network security and antivirus software. Finjan was seeking over \$1 billion in past damages and running royalties against most of Symantec's antivirus offerings. Following a three-week jury trial, obtained a complete defense verdict, with a finding of non-infringement and invalidity for all asserted claims. Finjan had previously prevailed on the same patents in the same venue against another defendant.
- Represented Samsung in its dispute with Huawei related to twenty-two 3G and 4G standard essential patents and a wide range of competing FRAND defenses and claims.
- Representing Salesforce in patent litigation brought in the District of Nevada involving relational database technology.
- Represented Salesforce in a patent litigation brought in the District of Delaware involving database related technology. After a successful Markman hearing, the case settled on favorable terms.
- Represented Salesforce, Zendesk, Riot Games, and NetSuite in patent infringement actions in the Eastern District of Texas involving application distribution and cloud computing related technologies filed by Uniloc. Obtained settlements on favorable terms after successful motion to dismiss claims as patent ineligible under 35 U.S.C. § 101.
- Represented neurosurgical device manufacturer Mazor Robotics in a three-patent suit filed by Neutar. The case settled extremely favorably.
- Secured only the second writ of mandamus ever to be issued by the Federal Circuit in the seminal *In re Genentech* case in relation to a motion to transfer venue from the Eastern District of Texas to

claims of two patents asserted by Sanofi-Aventis Deutschland against two highly successful anti-cancer products. The Federal Circuit affirmed.

Practice Areas

- Patent Litigation
- Trade Secret Litigation
- Intellectual Property Litigation
- Antitrust and Competition
- Litigation Representing Plaintiffs
- International Trade Commission Proceedings
- International Arbitration
- Domestic U.S. Arbitration
- Life Sciences Litigation
- Product Liability and Mass Torts Litigation
- Data Privacy & Security
- Artificial Intelligence

Education

Georgetown University Law Center

(J.D., *cum laude*, 2008)

Harvard University

(B.A., *cum laude*, 2003)

Admissions

The State Bar of California; United States Court of Appeals: Ninth Circuit, Federal Circuit; United States District Court: Northern District of California, Central District of California