



## Laura W. Brill

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Laura Brill is a founding partner of Kendall Brill & Klieger. Her practice focuses on complex litigation, including intellectual property, first amendment, and appellate matters.

The *Los Angeles Daily Journal* and the *San Francisco Daily Journal* have named Ms. Brill as one of the 75 top women litigators in California.

Ms. Brill has been selected for inclusion in *The Best Lawyers in America* for 2007, 2008 and again for 2009 in appellate as well as intellectual property law. Also, *Los Angeles Magazine* selected Ms. Brill for inclusion in Southern California "Super Lawyers" in 2006 through 2009 and named her one of the "Top 50 Women Lawyers" in Southern California in 2008.

Ms. Brill is the recipient of the People for the American Way Foundation's Defenders of Democracy Award in honor of her leadership in protecting free speech and equal rights.

Ms. Brill is a frequent speaker at bar association and industry conferences and has appeared as a commentator on legal affairs on national television and as a guest lecturer at Yale Law School and UCLA School of Law.

Ms. Brill was an associate at Irell & Manella LLP from 1997 to 2000 and a partner from 2001-2009.

## Representative Matters

### Intellectual Property Litigation

- Ms. Brill has been involved in numerous complex patent litigation matters, including representing a leading DVR manufacturer in defending before the United States Court of Appeals for the Federal Circuit a \$94 million judgment for patent infringement, followed by further proceedings to enforce an injunction before the United States District Court for the Eastern District of Texas.
- Ms. Brill has defended a leading computer manufacturer in patent litigation relating to ink-jet and battery management technology.
- She has represented and advised numerous companies and non-profit research organizations in complex patent licensing disputes, including representation before the United States Supreme Court in a case concerning the use of a declaratory judgment proceeding to challenge the validity of a licensed patent.
- Ms. Brill has experience before the ITC representing a leading innovator of semiconductor assembly packaging in connection with novel remedies issues.
- Ms. Brill has also represented *amici curiae* in several noteworthy intellectual property cases, including filing an amicus brief to the United States Supreme Court on behalf of the American Association of Universities and the National Association of State Universities and Land-Grant Colleges in the case of [eBay v. MercExchange](#); filing an amicus brief in the United States Supreme Court on behalf of NCR Corporation concerning exhaustion of method patent claims in the case of [Quanta v. LG Electronics](#).

## Kendall Brill & Klieger, LLP

### First Amendment and Freedom of Expression

- Ms. Brill represents leading outdoor advertising companies CBS Outdoor and Clear Channel Outdoor in a range of complex litigation matters concerning municipal regulation of advertising.
- In a case that Ms. Brill argued against constitutional law scholar Laurence Tribe, the United States Court of Appeals for the Ninth Circuit ruled in favor of Ms. Brill's clients and reversed a district court ruling that undermined the authority of cities to support mass transit infrastructure through agreement providing for the display of advertising. Metro Lights LLC v. City of Los Angeles, 551 F.3d 898 (9th Cir. 2009).
- In a pro bono matter, Ms. Brill has represented plaintiffs in a landmark case concerning the rights of students at a public high school in Orange County, California, to receive equal treatment for a gay-straight alliance. The United States District Court for the Central District of California imposed a preliminary injunction requiring that the school permit the students to meet. See Colin v. Orange Unified School District, 83 F. Supp. 2d 1135 (C.D. Cal. 2000).
- Ms. Brill has also represented companies sued for libel and slander of title and has counseled clients on First Amendment issues relating to public access to court records and other documents held by governmental agencies.

### Other Constitutional and Appellate Litigation

- Ms. Brill has defended the California State Senate in an action under the Voting Rights Act and the U.S. Constitution that challenged the district lines for United State Congress and the California State Senate that were enacted in the wake of the 2000 Census. A three-judge district court, composed of Reinhardt, C.J., and Morrow and Snyder, D.J.J., granted summary judgment in favor of the State Senate, and the United States Supreme Court affirmed. See Cano v. Davis, 211 F. Supp. 2d 1208 (C.D. Cal. 2002), affirmed, 113 S. Ct. 851 (2003).
- Ms. Brill has represented leading securities industry trade groups in the filing of an amicus brief in the Fifth Circuit in a case concerning third party liability for securities violations in civil litigation arising out of the Enron scandal.
- Ms. Brill has represented the NOW Legal Defense & Education Fund as amicus curiae in support of the petitioner in the case Lawrence v. Texas, 123 S. Ct. 2472 (2003), which challenged Texas's criminal law punishing same-sex sexual conduct. The U.S. Supreme Court struck down the Texas statute in June 2003.
- Ms. Brill has represented Legal Momentum and other leading women's rights organizations in amicus briefs in numerous state appellate courts concerning the constitutional right to marriage for same-sex couples and in proceedings before the California Supreme Court challenging the validity of California's Proposition 8, which restricted the right to marry.
- Ms. Brill served as lead counsel in the case Pasquantino v. United States, which she argued before the U.S. Supreme Court in November 2004. The case raised the question whether the U.S. government could bring a wire fraud prosecution based upon a scheme to evade foreign taxes. In proceedings following the Supreme Court's ruling, Ms. Brill's client's 21-month sentence was vacated.

### **Professional Activities**

Ms. Brill is a member of the Columbia Law School Board of Visitors and is a co-chair of the LGBT Litigator Committee of the American Bar Association Section of Litigation. She is a member of the National Leadership Council of Lambda Legal Defense & Education Fund and served on the California State Bar Committee on Appellate Courts.

### **Publications**

- Ruth Bader Ginsburg & Laura W. Brill, *Remembering Great Ladies: Supreme Court Wives' Stories*, 24 J. Sup. Ct. Hist. 255 (1999).
- Ruth Bader Ginsburg & Laura W. Brill, *Address, Women in the Federal Judiciary: Three Way Pavers and the Exhilarating Change President Carter Wrought*, 64 Fordham L. Rev. 281 (1995).
- Note, *The First Amendment and the Power of Suggestion: Protecting "Negligent" Speakers in Cases of Imitative Harm*, 94 Colum. L. Rev. 984 (1994).
- Ms. Brill has published in the *Sacramento Bee*, *Los Angeles Daily Journal*, and *Chicago Daily Law Bulletin*.

### **Bar and Court Admissions**

- 1995, New York; 1998, California
- U.S. Supreme Court, U.S. Court of Appeals, Third, Fifth, Ninth, and Federal Circuits; U.S. District Court, Central, Northern and Southern Districts of California and U.S. District Court, Southern and Eastern Districts of New York

**Education**

- Columbia University School of Law (J.D., 1994), tied for first in class
  - James Kent Scholar
  - Harlan Fiske Stone Scholar
  - John Ordronaux Prize for General Proficiency in Legal Study
  - Emil Schlesinger Labor Law Prize.
  - Book Reviews Editor, *Columbia Law Review*
- Brown University (A.B., American Civilization 1987)

**Clerkships**

- Hon. Ruth Bader Ginsburg, United States Supreme Court
- Hon. Wilfred Feinberg, U.S. Court of Appeals for the Second Circuit