



Richard M. Simon

Attorney

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Education

University of California, Los Angeles

School of Law, J.D., 2005

Order of the Coif

Journal of International Law and Foreign Affairs, Editor

Stanford University

B.A., Economics and German Studies, 1999

With honors

Externship

Brennan Center for Justice

Extern, 2005

In his complex litigation practice, Richard Simon resolves disputes and provides strategic legal analysis for entertainment, media, technology, and commercial clients, including in challenges involving unfair competition, false advertising, First Amendment and constitutional law, municipal governments, business torts and intellectual property rights. He has substantial appellate experience and has participated in matters before the U.S. Court of Appeals for the Ninth Circuit, California Supreme Court and United States Supreme Court.

Mr. Simon regularly represents, advises and counsels major entertainment studios, the nation's largest outdoor advertisers, cable and broadcast networks, and video-game publishers.

A notable area of Mr. Simon's practice includes client advocacy before government regulatory agencies and municipal authorities. He has appeared before numerous administrative hearings and public forums, including the Los Angeles City Council and planning commissions, and regularly manages legal and politically sensitive issues related to regulatory compliance and permit disputes.

While in law school, Mr. Simon served as an extern at the Brennan Center for Justice, a non-partisan public policy and law institute in New York, focusing on voting rights litigation in the Center's Democracy Program. He has played an active pro bono role in challenges for equal marriage rights in several states.

Representative Matters

Media, Entertainment, and Intellectual Property

Advertising and Out-of-Home Media Litigation and Advice

Assisted leading advertising companies in a range of complex litigation matters, including First Amendment and other constitutional issues, regulatory compliance issues, disputes among competitors, and fees and taxes on advertising.

Provided advice and counseling on statewide and municipal legislation affecting advertising.

Video-Game Litigation

Achieved dismissal of multiple putative class actions against video-game publishers, distributors, and retailers relating to claims under the Unfair Competition Law, the False Advertising Law, the Consumer Legal Remedies Act, and implied warranties.

Kendall Brill & Klieger, LLP

Copyright Litigation

Represented major entertainment cable network in a copyright fair use dispute over the use of promotional materials on an Internet blog. Obtained favorable settlement for client.

Appellate Litigation

Copyright, Patent, and First Amendment Appeals

Represented the League of California Cities and major outdoor advertising company in filing an amicus brief in the U.S. Court of Appeals for the Ninth Circuit in a case that preserved the authorities of cities to support mass transit infrastructure through agreements providing for the display of advertising. *Metro Lights LLC v. City of Los Angeles*: 551 F.3d 898 (9th Cir. 2009)

eBay v. MercExchange: Represented the American Association of Universities and National Association of State Universities and Land Grant Colleges in filing an amicus brief in the U.S. Supreme Court on the critical importance of academic technology transfer.

Pro Bono

Equal Marriage Rights

Represented Legal Momentum, California Women's Law Center, and other civil rights organizations in filing amicus briefs in the California and Iowa Supreme 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. More recently, Mr. Simon participated in drafting an *amicus curiae* in the U.S. Court of Appeals for the Ninth Circuit in favor of certification of state law issues to the California Supreme Court in the federal same-sex marriage litigation, *Perry v. Schwarzenegger*.

Prior to Kendall Brill Klieger

Irell & Manella LLP
Associate, 2005-2009

Bar and Court Admissions

California, 2005

U.S. District Courts

Central and Northern Districts of California

U.S. Court of Appeals for the Ninth Circuit