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David Case is a highly experienced intellectual property and venture capital transactions attorney admitted in the States of California, New York, Washington and Oregon. Prior to starting his own firm near Silicon Valley, David spent 20+ years as an associate and later equity partner at two different 1<sup>st</sup> tier international law firms practicing in New York City, Tokyo and Silicon Valley. David's practice has a particular emphasis on life sciences and medical devices.

David started at White & Case LLP as a summer associate in New York City and made partner on track while resident in the Tokyo office. After 15 years at W&C, David moved to Orrick LLP, a leading Silicon Valley venture law firm, to focus on technology and venture capital transactions. After 6 years as an Orrick partner, David started his own firm, Asia Pacific Advisory, in the spring of 2019.

From 2008 to 2019, David served as the Chair of the Intellectual Property Committee at the American Chamber of Commerce in Japan (在日米国商工会議所). David also served on the ACCJ Board in 2010-11. The ACCJ is the largest American Chamber of Commerce outside of the United States.

In the summer of 2018, David served on the *Committee for the Consideration of International Arbitrations with Foreign Counsel* organized by the Ministry of Justice (外国法事務弁護士等による国際仲裁代理に関する検討会, [http://www.moj.go.jp/housei/gaiben/housei07\\_00039.html](http://www.moj.go.jp/housei/gaiben/housei07_00039.html) )

David lived and worked in Japan for 22 years and is fluent speaking and reading Japanese. He now splits time between Tokyo and his native Silicon Valley.

### **Recognition**

- ***Chambers Global***, Intellectual Property: International, Japan, and Litigation: International, Japan, 2008-2019; Foreign Expert, USA/Japan, Intellectual Property, 2019
- ***Chambers Asia Pacific***, Intellectual Property: International, Japan, 2008-2019 and Dispute Resolution: International, Japan, 2008-2019
- ***Legal 500 Asia Pacific***, Intellectual Property: International, Japan, 2012-2017 and Dispute Resolution: International, Japan 2013-2017
- ***Intellectual Property: International, Japan, and Litigation:*** International, Japan, 2008-2018;
- Foreign Expert, USA/Japan, ***Intellectual Property***, 2018

- Included in *World IP Review – Leaders List* (2016-2019)
- *Intellectual Asset Management*, Leading Lawyer for Japan: Foreign, 2015
- Best Lawyers, *Intellectual Property Law*, 2019 Edition

## **Education**

**UC Berkeley School of Information**, Artificial Intelligence, Certificate Program, 2019

**Syracuse University College of Law**, J.D., 1998, *Magna Cum Laude*, *Order of the Coif*, *Law, Technology Management Program*

**Santa Clara University School of Law**, Attended, Institute of International and Comparative Law in Japan, 1996

**St. Mary's College of California**, B.S., Economics, 1990

**University College London**, Economics, 1989

## **PUBLIC SPEAKING**

- Legal Mentor, S6IX Kamiyama Accelerator 2020 (<https://www.in-kamiyama.jp/en/diary/31541/>)
- Speaker, “Investing in Regenerative Medicine in Japan” (Total Access Japan, May 2018)
- "Simulated International Arbitration and Mediation Event" (Co-hosted by Orrick, Ministry of Justice and CI Arb, May 2018)
- Speaker, “Standard-Essential Patent (SEP) and Intellectual Property Related Issues in the Age of IoT (Internet of Things)” (Global Business Knowledge Supply, February 2018)
- Speaker, “Cryptocurrencies and ICO’s” (Total Access Japan, February 2018)
- Speaker, “Advanced Licensing Considerations for 2018” (Orrick Library Seminar Series, January 2018)
- Speaker, “Intellectual Property and Best Practices for IP Protection” (Okinawa Institute of Science and Technology, November 2017)
- Speaker, “Document Management Seminar: Responding to Intellectual Property Litigation in the Global Era” (Deloitte Financial Advisory Seminar, October 2017)
- Speaker, “Investment in America: Indiana in the Spotlight” (Cross-border M&A Seminar, October 2017)
- Speaker, “Fund Manager’s Guide: Investing in the Tech Space” (Orrick Tokyo – Hong Kong Seminar, September 2017)

- Speaker, “Preparation for the Introduction of Class-Action Litigations in Japan – a US – Japan Comparison” (The Board of Director Training Institute of Japan (BDTI) seminar, January 2017)
- Speaker, “Intellectual Property and Best Practices for Protection” (Okinawa Institute of Science and Technology, November 2016)
- Speaker “Corporate Management and Intellectual Property Strategy in the Chemical Sector” (Japan Foods & Biotechnology Intellectual Property Rights Center, October 2016)
- Speaker, “Artificial Intelligence Developments – Emerging Seattle Innovation Comes to Japan” (Tokyo, July 2016)
- Speaker, Seattle Innovation Meetup, “Accessing the \$100 Billion War Chest: Strategic Partnerships, Investments & M&A with Japanese Companies for U.S. Startups,” Seattle (March, 2016).
- Speaker, Orrick with Innovation Finders Capital, “Innovation Finding for Japanese Companies,” Osaka (February, 2016).
- Speaker, Orrick with Innovation Finders Capital, “Innovation Finding for Japanese Corporation,” Tokyo (November, 2015).
- Speaker, Strategies for Global IP Litigation and Licensing 2015, Tokyo and Osaka (September 15 and 17, 2015).
- Speaker, Orrick Seminar “M&A Involving Technology Companies in Silicon Valley and Beyond” (September, 2015).
- Speaker, Global IP & Innovation Summit, Shanghai, "ITC Litigation and Licensing" (September, 2015).
- Speaker, Orrick's Trade Secret Seminar Series - Fourth Session, "A Defendant's Perspective in a Trade Secret Case" (May, 2015).
- Speaker, Orrick's Trade Secret Seminar Series - Third Session, "Litigations from the perspective of a plaintiff: issues and strategies" (January, 2015).
- Speaker, Strategies for Global IP Litigation and Licensing 2014, Osaka and Tokyo (September 10 and 11, 2014).
- Speaker, “How Cross-Border Patent and Trade Secret Litigation May Affect Chinese Companies” (MIP China International IP Forum, Beijing, June, 2014).
- Orrick's Trade Secret Seminar Series - Second Session, "Cross-border Protection of Trade Secrets Involving the U.S., Japan and China" (June 5, 2014).
- Orrick's Trade Secret Seminar Series - First Session, "Comparison of Key Aspects of US and Japanese Trade Secret Law and Protection Measures for Both the U.S. and Japan" (March 7, 2014).
- Speaker, "An Overview of Current Issues Relating to SEPs and FRAND Obligations - Potential Solutions to the Threats of PAEs; Political and Regulatory Efforts by Congress, the

FTC, and State Attorneys General," Seminar hosted by the Institute of Intellectual Property (IIP) (November 6, 2013) (two-hour presentation and Q&A session in Japanese).

- Speaker, Strategies for Global IP Litigation and Licensing 2013, Osaka and Tokyo (October 23 and October 24, 2013).
- Speaker, "Patent Trolls: An Outside Counsel View on Efficient and Effective Representation," Seminar hosted by Temple University, Japan Campus (October 22, 2013).
- Speaker, "What Japanese Companies Need to Know About the United States' Attorney-Client Privilege and Work Product Doctrine," Seminar hosted by UBIC (September 12, 2013).
- Speaker, "Maintaining IP Freedom," (ACCJ Entrepreneurs Forum, February 22, 2013).
- Speaker, "Antitrust Issues in Licensing Intellectual Property," (IP Licensing Seminar co-organized by Japan In-House Counsel Network (JICN), May 17, 2011).
- Guest Lecturer, Legal Issues Relating to the Use of Open Source Software, addressed legal and engineering departments of major semiconductor manufacturer, June 2010.
- Speaker, Current Intellectual Property and Regulatory Issues Involving Collaborative Content Creation conference, (American Chamber of Commerce, September 8, 2008).
- Guest Lecturer, "Approaches of U.S. and U.K. Companies to Better Protect, Manage and Exploit Their Patents, Trade Secrets and Other Intellectual Property Assets," (The Waseda University Nano, IT and Bio IP Management and Strategy Lecture Series - Advanced Course for Industry Professionals, February 2007, three-hour presentation and Q&A session in Japanese).
- Speaker and panelist, "The Overview of Arbitration Law of Japan," (Asia Pacific Dispute Resolution Summit organized by Asia Law & Practice, June 29, 2006).
- Speaker and panelist, "The Future of Intellectual Property Oriented Study - Between Engineering and Management Policy" (Waseda University, June 17th and 18th, 2006, presentation and panel discussion in Japanese).
- Host, American Chamber of Commerce in Japan - Executive Webcast Series 2006-2007, "Law & Policy," streamed by ITV Japan (6 segments).
- Keynote Speaker at the seminar, "Distribution of Digital Contents and Its Problems," co-sponsored by Institute of Intellectual Property and Copyright Research and Information Center, "Licensing Digital Contents to Licensees, Agents and Business Partners in the U.S." (one-hour presentation in Japanese), October 8, 2004.

## **BOOKS AND PUBLICATIONS**

- Co-author, "Recent U.S. Federal Court Decisions Involving Standard Essential Patents and Considerations for International ADR – Japan as a Possible ADR Forum for Resolving International SEP Disputes" (*JCA Journal* N. 740, February 2019)

- Quoted in “Ground Zero: Digital Currencies in Asia” (Waters Technology, November 2017)
- Co-author, “A Study of Best Practices for Licensing Standard Essential Patents (SEPs) in Anticipation of Patent Dispute in the Internet of Things (IoT)” (JCA Journal, N.723, September 2017)
- Co-author, “An Overview of Civil Remedies for Protection of Trade Secrets in the U.S.” (A.I.P.P.I. No.9, September 2016)
- Co-author, “The International Comparative Legal Guide to: Product Liability 2016” (Global Legal Group 14th Edition, May 2016)
- Co-author, "Investigation/Research of Legal Systems and Practices Regarding Trade Secret and Confidential Information Management – Trade secret and confidential information management by multinationals located in Asia -" (Intellectual Property Management, Vol. 65 No. 10 (No. 778), October 2015)
- Interview, "Trade Secret Protection by Using Forensics and Lawyers" (*Business Law Journal*, July 2015)
- Author, "Recent Legislative and Judicial Measures Aimed at Patent Assertion entities (Patent Trolls) in the U.S." (Chizaiken Forum Vol. 97, January 2014)
- Author, *US Trademark 100*, book published by the Japan Trademark Association, September 2011, English and Japanese, 440 pages (available in book stores and online retailers, including Amazon.co.jp) (a book highlighting the 100 most influential court decisions in U.S. trademark law).
- Co-author, "Measures Taken against Counterfeit and Pirated Goods at Japanese Customs," (*Apparel*, September 2010).
- Co-author, "Preemptive Strike! Recent Changes in U.S. Case Law Make It Easier for Companies to Use Declaratory Judgment Actions to Increase Their Chances of Successfully Fending off Patent Trolls," (*The Lawyers*, October 2008, with William S. Coats).
- Co-author, "Chapter 2: Licensing," (*Tax Strategies for Intellectual Property*, January 2008, with Mika Suzuki).
- Co-Author, "Japan Product Liability and Consumer Product Safety Laws," (*International Comparative Legal Guide to: Product Liability*, 2007, 2008, 2009, 2010 with Yuji Ogiwara).
- Author, "The Reaction of U.S. Industry to the Employee Invention Remuneration Cases, and Remuneration Policies of Select U.S. Companies and Universities," (*Journal of the Japanese Group A.I.P.P.I.*, May 2004, Japanese edition, and July 2004, English edition).
- Author, "Use of Experts In Patent Litigations," (*International Legal Strategy*, July 2003).
- Author, "Companies Face Possible Fair Remuneration Claims From Employee Inventors With Japanese Patents," (*Asian IP*, May 2003; and BNA's World IP Report June 2003).
- Author, "Common Mistakes Made By Licensors In Administering Click-Wrap Agreements," (*Syracuse University Law And Technology Journal*, Spring 2003; *The Computer & Internet*

*Lawyer*, August 2002; *Journal of the Japanese Group A.I.P.P.I.*, June 25, 2002, Japanese translation; and *Intellectual Property Today*, October 2002).

- Co-Author, "Music, The Internet, and the Music Industry," (*Practicing Law Institute*, 670 PLI Vol. 1, September 2001, with I. Fred Koenigsberg and Stefan Mentzer).
- Co-author, "Personal Jurisdiction by Virtue of Establishing a Web site," (*Practicing Law Institute*, 489 PLI/Pat 15, September 1997, assisted David Bender in researching and writing article).