



Clay James

Office Managing Partner, San Francisco; Partner,
Denver

San Francisco

Denver

Biography

Clay James is a litigator and trial lawyer who tackles high-stakes intellectual property disputes, class actions, privacy and data security cases, and complex commercial litigation, with a focus on technology-related matters. He serves as Office Managing Partner for our San Francisco office and is also a member of the firm's board.

Intellectual Asset Management ranks Clay as a top IP litigator, stating that "he has developed sophisticated expertise in e-commerce matters, although companies also prize his counsel on cases concerning computer hardware, software, and business methods."

Clay has acted as lead counsel in dozens of patent, copyright, and trade secret cases involving computer hardware and software. He regularly counsels in additional technology areas as well, including handsets, microprocessors, computer applications, database programs, computer and handset displays, power management devices, online advertising and electronic commerce, medical records technology, and business methods. He has also litigated patent and trade dress claims related to headphones and audiology products. He has also handled class actions and other complex



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disputes, with an emphasis on privacy, data security, and consumer fraud cases.

Clay is active in the intellectual property legal community, including as a past Chairman of the Intellectual Property Section of the Colorado Bar Association. He has appeared as lead counsel in state and federal courts around the country, including leading intellectual property and technology jurisdictions such as the Eastern District of Texas, the Northern District of California, the Northern District of Illinois, and the District of Delaware.

Having served as chief litigation counsel for Sun Microsystems, Inc. for seven years, Clay's in-house experience leads him to approach issues from a practical, problem-solving perspective. He is particularly focused on delivering outstanding results while meeting the client's budget needs and is a strong advocate of alternative fees.

Representative experience

Represented leading headphone maker in Section 337 ITC investigation filed by Bose Corporation involving digital signal processing.

Representing leading handset and computer maker in multi-country patent and licensing dispute encompassing more than 50 patents in multiple courts.

Represented major health services company in patent and copyright action involving novel open-source licensing issues.

Lead counsel for major health insurer in trade secret and licensing dispute with software developer.

Lead counsel for leading health insurance and health services company in high-stakes trademark infringement litigation.

Opperman et al. v. Path et al.: Represent leading

Practices

Antitrust and Competition
Consumer Law
Intellectual Property
IT Law
Litigation
Patents
Privacy and Cybersecurity
Trade Secrets and Confidential Know-how
Trademarks and Brands
Commercial Litigation
Technology Litigation

Industries

Consumer
Financial Institutions
Insurance
TMT

Areas of focus

Alternative Dispute Resolution
Antitrust and Competition Litigation
Class Actions and Group Litigation
Data Protection
E-discovery and Information Management
Breach Preparedness, Response, Investigation, and Communication
IP Licensing, Commercialization, and Technology Transfer

consumer technology company in consumer data privacy litigation.

Secure Access v. Bank of America, et al.: Represent banking institutions in patent infringement litigation relating to online security technology.

Soverain Software v. Oracle, et al.: Lead counsel for computer company in patent infringement action relating to e-commerce technology.

Awards and rankings

- Intellectual Property (Colorado), *Chambers USA*, 2017-2019
- Litigation - Patent 1000, *Intellectual Asset Management*, 2014
- Best Intellectual Property Litigator - Barrister's Best/People's Court, *Law Week Colorado*, 2012

Latest thinking and events

- Press Releases
 - Hogan Lovells adds prominent REIT tax lawyer in San Francisco; expanding practice
- Press Releases
 - Hogan Lovells Adds Prominent IPMT Partners to San Francisco Office
- Press Releases
 - Clay James named Hogan Lovells office managing partner in San Francisco
- Press Releases
 - Hogan Lovells appoints new Board members
- Hogan Lovells Publications
 - Digital Health: The issues you need to consider to leverage its full potential in 2018 *Life Sciences Team*
- Published Works
 - Pro bono pros: Managing partner roundtable *Law*

IP Litigation, Arbitration, and Alternative Dispute Resolution

Education and admissions

Education

J.D., University of Colorado School of Law, Order of the Coif, 1995

B.A., University of Colorado, Phi Beta Kappa, 1989

Memberships

Chair, Intellectual Property Section, Colorado Bar Association

Member, American Intellectual Property Law Association

Member, Intellectual Property Owners Association

Bar admissions and qualifications

California

Colorado

Court admissions

U.S. District Court, District of Colorado

U.S. District Court, District of Delaware

U.S. District Court, Eastern District of Arkansas

Week Colorado

U.S. District Court, Eastern District of Texas

U.S. District Court, Northern District of California

U.S. District Court, Northern District of Illinois

U.S. District Court, Western District of Kentucky

U.S. District Court, Western District of Tennessee

Accolades

"He has developed sophisticated expertise in e-commerce matters, although companies also prize his counsel on cases concerning computer hardware, software, and business methods."

Intellectual Asset Management
