



Graham (Gray) M. Buccigross

Associate

Del Mar
12275 El Camino Real
Suite 200
San Diego , CA 92130

Palo Alto
379 Lytton Avenue
Palo Alto , CA 94301

Tel: 858.720.7427
Fax: 858.847.4898
gbuccigross@sheppardmullin.com

PRACTICE AREAS

- Intellectual Property
- Litigation

INDUSTRIES

- Digital Business
- Life Sciences

OVERVIEW

Graham (Gray) M. Buccigross is a litigator whose practice focuses on patent infringement suits involving the life sciences and electrical arts. He graduated from Harvard Law School with honors, and is registered to practice before the United States Patent and Trademark Office. In December 2010, Mr. Buccigross was judged by an independent panel of legal experts and recognized by the San Diego Daily Transcript as one of “the San Diego legal community’s up and coming stars.” He is an associate in the Intellectual Property Practice Group in the firm’s Del Mar Heights and Silicon Valley offices, and a member of Sheppard Mullin’s Electronic Discovery Team.

Areas of Practice

Mr. Buccigross has obtained highly favorable results for parties enforcing patents and for parties defending against such actions. These cases involved diverse life sciences and technical subject matter. He also has broad experience litigating in various jurisdictions, including the Northern District of California, Southern District of California, District of Delaware, Northern District of Illinois, Eastern District of Virginia, Eastern District of Texas, District of New Jersey, and Southern District of Florida.

Patent Suits Involving Biological Arts

Mr. Buccigross has also successfully litigated various patent cases involving the biological arts. For instance, he represented the University of California in litigation against the Monsanto Corporation, leading to a settlement on the eve of trial of over \$200 million for a license to the UC’s patents covering bovine growth hormone. Other representative life sciences matters involved biological assays and neutraceuticals, and other representative clients include Applera Corp., Gen-Probe Inc., and Everett Laboratories.

Patent Suits Involving Electrical and Computer Arts

Mr. Buccigross has also obtained excellent results in patent infringement actions concerning highly technical subject matter, including telecommunications, semiconductors, computer software and hardware, data de-duplication, and biometric technology. Representative clients include Lenovo, Marvell Semiconductor, HTC

Corporation, Quantum Corporation, Echostar Corp., Mformation Technologies, and Lineage Power.

Opinion Work, General Litigation Experience, and Training

As a secondary focus, Mr. Buccigross has provided freedom-to-operate opinions relating to diverse subject matter including pharmaceuticals, stents, and digital cameras.

Prior to joining the firm, Mr. Buccigross was an associate in Morrison & Foerster LLP's litigation department. There, besides litigating patent infringement cases, his practice encompassed trade secret/unfair competition litigation, general commercial litigation, and employment litigation. His representative clients for actions other than for patent infringement cases include Cytec Industries, Foley & Lardner LLP, Calpine Corporation, Brookfield Homes, and Barnes & Noble.

Mr. Buccigross graduated with honors from Harvard Law School, where he received an award for his brief writing. During law school, he interned and externed for the Massachusetts Office of the Attorney General. He received his B.S. in Biology from the University of California at San Diego, with highest honors. While there, he completed substantial coursework in computer science, advanced mathematics, and physics for engineers, as well as electrical engineering.

EDUCATION

- J.D., Harvard Law School, 2004, *cum laude*
- B.S., Biology, University of California, San Diego, 2001, *summa cum laude*
Significant additional coursework in computer science and engineering. Recipient of the Biology Outstanding Achievement Award, teaching assistant in the Biology Department, and recipient of the Phi Beta Kappa scholarship for graduate study

ADMISSIONS

- United States Patent and Trademark Office
- California
- United States District Court, Northern District of California
- United States District Court, Southern District of California

EXPERIENCE

Representative Litigation

Mformation Technologies, Inc. v. Research in Motion, Ltd. ("RIM"). Represented Mformation in its patent infringement suit accusing RIM's BlackBerry devices and related software of infringing Mformation's patents relating to remote management of wireless devices. Ongoing.

Quantum Corp. v. Riverbed Technologies, Inc. Represented plaintiff and cross-defendant Quantum in multiple patent infringement lawsuits against Riverbed regarding data storage products that utilize data de-duplication technology. The matters were resolved in a very favorable global settlement for Quantum.

Telarix, Inc. v. Vero Systems, Inc. Represented defendant in a patent infringement suit regarding software for least-cost routing of international telephone calls. Settled very favorably.

Trimble Navigation Ltd. v. RHS Inc. et al. Represented Hemisphere GPS in a patent infringement suit brought against Hemisphere by Trimble Navigation Ltd., and involving automatically steering agricultural machinery using GPS technology. The Court granted Hemisphere's motion for summary judgment of noninfringement, ending the case.

[Case name intentionally omitted.] Represented an aerospace manufacturer in a trade secret matter filed against a former employee and his subsequent employer – a primary competitor. Obtained a temporary restraining order against the former employee and the competitor. Subsequently obtained computer forensic evidence that the 28-year employee (an engineer) stole vital company trade secrets by copying the contents of his work computer onto an external hard drive, and attempted to destroy the evidence. When confronted with this evidence during his deposition, the employee fully admitted wrongdoing. Shortly thereafter, the competitor terminated the employee, the court entered a permanent injunction, and the case settled on terms very favorable to the client.

ARTICLES

Intellectual Property Law Blog Articles

- "Adjusting the Inequitable Conduct Doctrine: Federal Circuit Hears Oral Arguments *En Banc* in *Therasense*," December 7, 2010