

2013

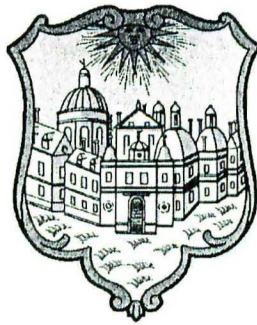
The Intellectual Property System of the U.S. and Its Discontents (Program)

Michael A. Jacobs

Repository Citation

Jacobs, Michael A., "The Intellectual Property System of the U.S. and Its Discontents (Program)" (2013). *Stanley H. Mervis Lecture*. 3.
<https://scholarship.law.wm.edu/mervis/3>

THE COLLEGE OF WILLIAM & MARY
MARSHALL-WYTHE SCHOOL OF LAW



THE 2013
STANLEY H. MERVIS LECTURE
IN INTELLECTUAL PROPERTY

MICHAEL A. JACOBS

Many of the world's leading companies call on Mr. Jacobs to lead trial teams in their most complex litigation.

In 2012, he served as co-lead counsel in the year's two highest-profile intellectual property battles, including a high-profile smartphone case leading to a jury verdict of over \$1 billion. He has represented information technology and life sciences companies in more than 100 patent lawsuits, often prevailing at early stages of the dispute. Mr. Jacobs is the co-founder of the firm's Intellectual Property Practice Group, and currently heads its Life Sciences Practice Group.

Mr. Jacobs' work in several landmark cases has helped to shape the laws governing emerging technologies. Early in his career, he led the technical team that represented Fujitsu in its landmark operating system software arbitration with IBM. He represented the motion picture industry in the *On Command Video* case, which established that on-demand video systems require a license under copyright's public performance right. Mr. Jacobs represented Novell in the widely reported *SCO v. Novell* Linux litigation, prevailing in a bench trial on Novell's multi-million dollar claims, defeating SCO's \$200 million claim in a three-week jury trial, and defending those results on appeal in the 10th Circuit. He also represented Autodesk in the *Vernor v. Autodesk* case, which established that copyright's first sale doctrine does not immunize the re-sale of licensed software.

Mr. Jacobs has also achieved victories in important *pro bono* cases. He was co-lead counsel for plaintiffs in the landmark *Williams v. State of California* class action, which led to a settlement in which the State undertook to address shocking conditions in California's lowest performing schools. He also represented the Jewish Community Relations Council and the Anti-Defamation League in a successful pre-election challenge to an anti-circumcision initiative slated for San Francisco's ballot.

Mr. Jacobs is a graduate of the Yale Law School and teaches Trade Secrets Law at the University of California at Berkeley.

THE 2013 MERVIS LECTURE

“The Intellectual Property System
of the U.S. and Its Discontents”

Michael A. Jacobs
Partner
Morrison & Foerster LLP

Monday, September 23, 2013
12:50 p.m.
Room 124

**THE STANLEY H. MERVIS LECTURESHIP
IN INTELLECTUAL PROPERTY**

The Stanley H. Mervis Lectureship in Intellectual Property was created in memory of Stanley Mervis by his family and friends. Mr. Mervis, a member of the Law School Class of 1950, was patent counsel for Polaroid Corporation for most of his career and was actively involved in patent and intellectual property issues.