



## Daniel J. Shih

Partner

Seattle

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### *Overview*

Dan Shih is a partner in the firm's Seattle office. He has represented clients in state and federal courts across the country in a wide variety of high-stakes commercial and complex litigation matters.

Mr. Shih is proud to have represented clients in litigation concerning:

- Class actions dealing with consumer fraud, unfair competition, securities, and constitutional issues
- Contract disputes
- Patent infringement and other intellectual property disputes
- Appeals before the Supreme Court of Washington, the Supreme Court of the United States, the Ninth Circuit, and the Federal Circuit

### *Notable Representations*

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#### **Class Actions**

- Represented an investor class in a securities fraud and insider-trading lawsuit in the Western District of Washington against Dendreon, a Seattle-based biotechnology company, and two of its officers. After plaintiffs won class certification and responded to defendants' motion for summary judgment, defendants settled the case for \$16.5 million.
- Represented a nationwide class claiming Google overcharged for web ads in the Northern District of California and on appeal in the Ninth Circuit. After plaintiffs substantially defeated multiple motions for summary judgment, Google settled the case for \$20 million.
- Tried case on behalf of a statewide class alleging violations of California's Unfair Competition Law by multiple companies. Presented and cross-

examined expert witnesses, and argued and defeated multiple motions for summary adjudication, in Los Angeles County Superior Court.

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## **Contract Disputes and Business Torts**

- Represented seafood wholesaler Galaxy Foods in bringing breach-of-warranty claims over unmerchantable fish against a major salmon processor in the Western District of Washington. Case settled on mutually satisfactory terms.
  - Defended CNA Financial Corporation and Continental Casualty Company against contract, negligence, fraud, and insurer bad faith allegations in a \$150 million dispute over the settlement of a medical malpractice claim in the District of Oregon. Clients obtained a complete win on summary judgment, which was affirmed on appeal.
  - Defended subsidiaries of Arctic Slope Regional Corporation against broker's claim for commissions on a billion-dollar government contract in the District of Maryland. Client prevailed on all claims on summary judgment.
  - Investigated secondary-liability claims arising from a multibillion dollar Ponzi scheme in Minnesota.
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## **Patent Litigation**

- Represented the California Institute of Technology in patent infringement dispute against Samsung involving communications encoding technology in the Eastern District of Texas. The case settled for a confidential amount shortly before trial.
- Represented Sol IP in a complex patent infringement dispute against wireless carriers AT&T, Sprint, and Verizon in the Eastern District of Texas. The cases involved cellular and Wi-Fi technologies covered by 27 patents developed by a South Korean government-funded research institute. The cases settled for confidential amounts shortly before trial.
- Representing Zillow against infringement claims brought by IBM on twelve different patents in the Western District of Washington.
- Represented inventor's company BASCOM Global Internet Services in patent infringement dispute involving internet content filtering technology in the Northern District of Texas. The case settled for a confidential amount shortly before trial.
- Represented Fractus S.A. through trial in patent infringement suit against mobile phone maker Samsung in the Eastern District of Texas. Jury verdict was a complete win and included over \$23 million in damages and a finding of willful infringement. The case subsequently settled for a confidential amount.

- Represented Quantum World in patent infringement suit against computer makers IBM and Lenovo and chipmakers Atmel, National Semiconductor, and Winbond in the Eastern District of Texas. The case settled for confidential amounts, with the last defendant settling after jury selection.
- Represented Quantum World in patent infringement suit against computer makers Dell and HP in the Western District of Texas. The case settled for confidential amounts.

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## Civil Rights and Government Accountability

- Represented a group of twenty-five community organizations on an amicus brief before the Washington Supreme Court expressing the community's perspective on the disproportionate rate of police killings of Black community members and the importance of robust inquest procedures that can uncover the true causes of police-involved deaths.
- Represented a coalition of the ACLU of Washington, medical and health professional associations, and youth and LGBTQ+ support and advocacy organizations on an amicus brief before the Ninth Circuit in support of Washington's ban on "conversion" efforts.
- Represented Lambda Legal and a coalition of other minority and civil rights organizations before the Washington Supreme Court, submitting an amicus brief arguing that antidiscrimination law must apply even to religiously motivated conduct (in that case, a florist's refusal to provide flowers for a gay couple's wedding).
- Submitted an amicus brief on behalf of political science scholars in support of local governments challenging a presidential executive order on sanctuary jurisdictions.
- Representing the Community Police Commission, which serves as the voice of the community, in consent decree litigation requiring the City of Seattle to implement reforms to relating to police use of force, accountability, and other issues.

## Honors & Distinctions

- Lawdragon 500 Leading Litigators in America (2023)
- Equality Trailblazer, *National Law Journal* (ALM, 2019)
- Washington Rising Star, Super Lawyers (*Law & Politics Magazine*, Thomson Reuters, 2013-16)
- Multiple *Pro Bono Publico* service commendations from the Washington State Bar Association
- Certificate of Appreciation from the Federal Judges Association (2014)
- Community Service Award from Chinese Radio Seattle (2016)
- Stanford University Forman Fellow in Economics

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- Princeton University Junior Prize in Computer Science
- Princeton University Senior Prize in Computer Science
- Sigma Xi
- Phi Beta Kappa

## *Clerkships*

Honorable A. Raymond Randolph, United States District Court for the District of Columbia, 2006-07

## *Education*

**Stanford Law School** (J.D., Order of the Coif and Pro Bono Distinction, 2006)

**Stanford University** (A.M., Economics, , 1995)

**Princeton University** (B.S.E., Computer Science, summa cum laude, 1994)

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## *Admissions*

### **Bar Admissions**

- Washington
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### **Court Admissions**

- United States Supreme Court
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. District Court for the Western District of Washington
- U.S. District Court for the Eastern District of Washington
- U.S. District Court for the Eastern District of Texas
- U.S. Court of Federal Claims

## *Wins*

Susman Godfrey Scores Federal Circuit Win In Patent Battle Against AT&T

Court Approves \$16,500,000 Settlement in Securities Class Action Brought by Susman Godfrey Against Dendreon

## *Leadership & Professional Memberships*

- PRX, formerly Public Radio International (Board Member)
- Moisture Festival (Board President)
- Center for Children & Youth Justice (Vice Chair)

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- American Bar Association, Commission on Sexual Orientation and Gender Identity (Special Advisor)
- American Civil Liberties Union of Washington (Former Secretary-Treasurer, Equity Officer, Legal Advisor)
- QLaw Association of Washington (Past President)
- Washington Coalition of Minority Legal Professionals (Chair)
- API Chaya (Former Board Treasurer)
- Carbon Washington (Board Secretary)
- Lakeside School Alumni Board (Former Board Member)
- The Sedona Conference, Working Group 10 on Patent Litigation Best Practices (Dialogue Leader and Drafting Team Member)

## *Languages*

Chinese (Mandarin) - Conversational