

Barbara N. Barath

Partner

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Details

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Barbara Barath is a seasoned intellectual property litigator and experienced trial lawyer. She represents clients in high-stakes patent, trade secret, copyright, and trademark matters—as well as contract breach, unfair competition, and other commercial litigation matters. She has litigated disputes relating to a broad range of technologies from semiconductor fabrication to USB, memory, communications, networking, cloud storage, two-way radio, mobile device user interface, mobile device management, data compression, spinal derotation, refrigerator water filter, and CAD.

She has over fifteen years of experience representing Fortune 500 and multinational technology clients, including Autodesk, Intel, Microchip, Samsung, VMware, and Whirlpool, in multimillion-dollar cases. In 2020, she helped secure a \$764.6 million jury verdict and \$34.2 million in attorneys' fees in a case involving a competitor's use of Motorola's trade secrets and copyright-protected source code.

Barbara is a thought leader in the trade secrets legal community. She serves as Vice Chair of the ABA-IPL Trade Secrets and Interferences with Contracts Committee, speaks at conferences such as the AIPLA Trade Secret Summit, and participates in the Sedona Conference Trade Secrets Working Group.

Barbara maintains an active pro bono practice. She has taken to trial, or successfully settled, several pro bono cases involving unlawful search, use of excessive force, as well as NEPA and Wilderness Act claims. She represented California public school children in *Ella T. v. California*, a landmark education case alleging that the State failed to give them equal access to literacy, and secured a \$50 million settlement for literacy instruction to 75 schools in California.

Prior to joining Coblentz, Barbara helped lead the Technology Litigation Group at Debevoise & Plimpton, was a partner in the IP Litigation Group at Kirkland & Ellis, and was an associate in the IP Litigation Group at Morrison & Foerster.

Barbara is admitted to practice in California, as well as before the U.S. Court of Appeals for the Ninth Circuit and the Federal Circuit, and the U.S. District Courts for the Northern, Central, and Eastern Districts of California, the Eastern District of New York, the Eastern District of Tennessee, and the Eastern District of Texas.

Barbara earned her J.D. from the University of Southern California Gould School of Law in 2009, where she was a member of Order of the Coif. She received her M.A. from the Johns Hopkins School of Advanced International Studies in 2006 and earned her B.A., with Honors, from Stanford University in 2004.

Notable Representations

Trade Secret

- **Motorola v. Hytera** (N.D. Ill.). Represented Motorola in a trade secret and copyright infringement case involving a competitor's theft of confidential documents and copyright-protected source code relating to two-way radio technology. Helped secure a \$764.6 million jury verdict after a three-month trial, and \$34.2 million in attorneys' fees.*
- **Semiconductor Company v. Semiconductor Company** (ICDR). Led team that obtained a favorable settlement for a semiconductor company in a license dispute involving trade secret and patent claims relating to semiconductor fabrication technology.*
- **Autodesk v. ZWCAD Software** (N.D. Cal.). Represented Autodesk in a trade secret misappropriation case involving CAD software. Helped secure a favorable settlement: ZWCAD publicly acknowledged that its employee had improperly used Autodesk's intellectual property when developing ZWCAD's product.*

Patent

- **Whirlpool v. TST Water** (E.D. Tex.). Led team, including second chairing trial, that secured a \$7.6 million jury verdict and willfulness finding for Whirlpool in a patent infringement case against a competitor involving refrigerator water filter technology.*
- **Alter v. Autodesk** (N.D. Cal.). Led team that represented Autodesk in a patent infringement case involving methods for generating hair and fur using CAD software. Successfully argued motion for summary judgment that disposed of all claims.*
- **Uniloc v. Autodesk** (E.D. Tex.). Led team that represented Autodesk in a patent infringement case involving methods for generating price schedules from CAD drawings. Successfully invalidated asserted patents.*
- **In Certain Laptops, Desktops, Servers, Mobile Phones, Tablets, and Components Thereof** (ITC). Led team that represented Samsung and Intel—along with JDG representing other defendants—in a case involving alleged infringement of patents relating to semiconductor technology. Secured a favorable settlement on the eve of trial.*
- **Zeroclick v. Smartphone Manufacturer** (N.D. Cal.). Represented smartphone manufacturer in a patent infringement case involving swiping technology. Invalidated asserted patents at Markman stage.*
- **Flatworld v. Smartphone Manufacturer** (N.D. Cal.). Represented smartphone manufacturer in a patent infringement case involving touch-screen technology. Obtained a favorable settlement after filing counterclaims for aiding and abetting breaches of fiduciary duty.*
- **Aptiv v. Microchip** (D. Del.). Represented Microchip in a competitor-on-competitor patent infringement case involving USB and semiconductor technology.*
- **ImberaTek v. Samsung** (E.D. Tex.). Represented Samsung in a patent infringement case involving semiconductor technology. Secured a favorable settlement.*
- **Intel v. Trenchant Blade** (N.D. Cal.). Represented Intel in a patent infringement case involving semiconductor technology. Secured a favorable settlement.*
- **House v. Spirit Airlines** (E.D.N.Y.). Represented Spirit against inventor in a patent infringement suit relating to engine technology. Obtained dismissal of all claims at motion to dismiss stage.*
- **Good Technology Corp. v. AirWatch** (N.D. Cal.). Represented AirWatch against competitor in a multi-patent infringement suit relating to mobile device management software. Secured a favorable settlement prior to expert discovery.*

Copyright

- **Erickson Productions v. Kast** (N.D. Cal.). Led team, including first chairing copyright infringement jury trial, that obtained a favorable jury verdict for Kast relating to his alleged unauthorized use of stock photographs on his website.*
- **SNMP Research, Inc. v. Extreme Networks, Inc.** (E.D. Tenn.). Represented Extreme in a copyright infringement dispute relating to internet standard protocol source code allegedly used in networking equipment.*

Trademark

- **Sports Marketing Monterrey Group v. Socios Services** (N.D. Cal.). Represented Sports Marketing Monterrey Group in trademark infringement litigation relating to "SOCIOMX" mark. Obtained preliminary injunction.*
- **Sitecore v. Groupon** (N.D. Cal.). Represented Sitecore in trademark infringement litigation relating to "Own the Experience" mark. Obtained a favorable settlement.*

Other Technology Litigation

- **Crypto Currency Company v. Cloud Services Company** (JAMS). Led team, including second chairing arbitral hearing, that helped cloud services company secure millions of dollars in a breach of contract dispute.*

*Denotes experience prior to joining Coblenz.

Honors & Awards

Barbara is recognized as a Northern California "Rising Star" for Intellectual Property by Super Lawyers.

Publications & Speaking Engagements

- Co-author, "Preliminary Copyright Office Guidance on Fair Use and AI Provides Some Answers, But Questions Remain," Debevoise & Plimpton Data Blog (June 6, 2025)
- Speaker, "Trade Secret Issues Affecting Software," American Intellectual Property Law Association 2025 Trade Secret Summit, Nashville, TN (March 27, 2025)
- Moderator, "Non-Compete Clauses and Other Ways to Protect Trade Secrets," American Bar Association (January 14, 2025)
- Speaker, "What to Plead and Who to Sue: Individual Liability and Adjacent Common Law Claims to Trade Secret Misappropriation," American Intellectual Property Law Association 2024 Trade Secret Summit, Santa Clara, CA (March 14, 2024)
- Coach, "Patent Advocacy," The University of Texas at Austin School of Law (Fall 2023)
- Speaker, "Protecting Trade Secrets: Best Practices to Avoid—And Win—Litigation," ChIPs Network, Webcast (April 13, 2023)
- Author, "Where to Go When Your Trade Secrets Have Gone Abroad," *American Bar Association* (January 12, 2023)
- Speaker, "Developments in Trade Secret Law," Continuing Legal Education International IP & Ski Conference, Vail, CO (January 5, 2023)
- Speaker, "Recent Developments in Intellectual Property Law Podcast," American Bar Association (October 23, 2020)
- Author, "Fixing Alice," *Intellectual Property Magazine* (February 25, 2019)

Education

- J.D., Order of the Coif University of Southern California Gould School of Law (2009)
- M.A., Johns Hopkins University School of Advanced International Studies (2006)
- B.A., with honors Stanford University (2004)