



Contact

**Colin G. Cabral**

**Partner**

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Colin Cabral is a litigator and trial lawyer specializing in complex patent, intellectual property, and contract disputes.

Colin has wide-ranging experience litigating cases in federal district court. He has represented pharmaceutical companies in patent disputes relating to small molecule compounds and biosimilar drugs. He has also served as lead trial counsel in patent and trade secret matters involving computer software, electronic devices, and consumer products.

Recently, Colin has represented pharmaceutical companies and investors in contract disputes arising out of unsuccessful drug development programs.

In 2017, Colin was named to *Benchmark Litigation's* Under 40 Hotlist, which recognizes attorneys under the age of 40 who "have been deemed the most promising emerging talent in their respective litigation communities . . . by peers and clients."

Previously, Colin served as in-house litigation counsel for a global life sciences company. He also served as a Special Assistant District Attorney in Dorchester, MA.

Colin volunteers as regular faculty for the National Institute for Trial Advocacy. He is

Board Chairman of FreeFrom, a charitable organization that helps survivors of domestic violence achieve financial independence. He is also a board member of the Legal Aid Foundation of Los Angeles (LAFLA).

## Matters

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### Representative Matters

- *GEMAK v. Church & Dwight (D. Del.)*. Defending Church & Dwight in patent infringement suit relating to laundry and dish detergents.
- *Absorption Pharmaceuticals v. Reckitt Benckiser (D.N.J.)* Representing Absorption in a case involving claims of trade secret misappropriation, fraud, and interference with contract relations.
- *Shareholder Representative Services v. Shire (Del. Ch.)* Representing Shire in a breach of contract dispute.
- Representing clients in two confidential arbitrations relating to pharmaceutical drug development.
- Lead counsel in a patent infringement litigation relating to voiceover technology.
- *Away v. Olivet et al. (S.D.N.Y.)* Obtained successful resolution as lead counsel for Away in a case involving claims of trade secret misappropriation and trade dress infringement.
- *Rothschild Digital Confirmation v. Oracle (E.D. Tex.)* Won award of legal fees as lead counsel for Oracle in patent infringement dispute.
- *Script Security Solutions v. Canary Connect (E.D. Tex.)* Obtained early settlement for Canary as lead counsel in patent infringement dispute.
- *DRG International v. Bachem Americas et al. (C.D. Cal.)* Negotiated the dismissal of 5 of 7 asserted patents without motion practice and won a motion to dismiss claims of indirect and willful infringement.
- *Ultratech, Inc. v. Analog Devices, Inc. (N.D. Cal.)* Argued and won motion to dismiss action for copyright infringement.

- *Zenith Elecs. LLC et al. v. Sceptre, Inc.* (C.D. Cal.) Argued and defeated summary judgment motion on damages under 35 U.S.C. § 287; the case settled following the decision.
- *SpeedTrack v. Amazon.com et al.* (N.D. Cal.) Negotiated the dismissal of patent infringement claims against six clients without responding to complaint.
- *SpeedTrack v. Office Depot, Inc. et al.* (N.D. Cal., Fed. Cir.) Obtained summary judgment of non-infringement on behalf of all defendants under the Kessler doctrine; affirmed by the Federal Circuit on appeal.
- *Speedtrack v. Wal-Mart* (N.D. Cal., Fed. Cir.) Won summary judgment of non-infringement with respect to all asserted claims on behalf of defendants in a case relating to search algorithms used for online retail Web sites; affirmed by the Federal Circuit on appeal.
- *ADREA v. Barnes & Noble, Inc. et al.* (S.D.N.Y.) Won a jury verdict of patent infringement and no invalidity while serving as lead trial counsel for plaintiff in a case concerning electronic books and related technologies.
- *NISTAC v. Nissan North America, Inc. et al.* (E.D. Mich.) Defended Honda in a patent infringement suit relating to automobile piston assemblies; the plaintiff voluntarily dismissed the case after the court ruled in favor of Honda on all claim construction issues.
- *Analog Devices v. Knowles Electronics* (D. Del., U.S.I.T.C) Obtained a finding of infringement and an exclusion order on behalf of plaintiff following a competitor's use of patented anti-stiction technology for micro-electromechanical systems (MEMS) devices.

#### Practices

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Litigation, Intellectual Property, Patent Law

#### Industries

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Life Sciences

#### Education

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University of Notre Dame Law School, J.D., 2004

*cum laude*

Columbia University, B.S., 2001

#### Admissions & Qualifications

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Massachusetts

New York

U.S. Patent and Trademark Office

California

#### Court Admissions

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U.S. District Court, Michigan, Eastern District

U.S. District Court, New York, Southern District

U.S. District Court, Massachusetts

U.S. District Court, California, Central District

U.S. District Court, California, Northern District

U.S. District Court, California, Southern District

U.S. District Court, Texas, Eastern District

U.S. Court of Appeals, Federal Circuit

#### Memberships

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American Bar Association

Federal Circuit Bar Association

Los Angeles Intellectual Property Law Association, Co-Chair of Patent Committee

#### Awards & Recognition

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Benchmark Litigation's Under 40 Hotlist 2017

Southern California Super Lawyers Rising Stars 2015-2019

2011 Golden Gavel Award