



## Samuel C. Straight

Shareholder

801-323-3390

## Practice Areas

- Appellate Practice
- Intellectual Property
- Litigation
- Securities Litigation
- Direct Selling

Sam Straight is a shareholder at Ray Quinney & Nebeker. His practice focuses on intellectual property litigation, including patent, trademark, trade dress, trade secret and copyright matters from pre-litigation enforcement through trial. He works with a wide variety of companies in the protection of their intellectual property rights, and defense against claims of infringement. Mr. Straight also represents clients in other commercial litigation, including securities, shareholder derivative, real property, and appellate litigation matters. He also has extensive experience with litigation involving the direct selling or network marketing industry. Mr. Straight also has significant experience with all forms of alternative dispute resolution, including arbitration and mediation.

Mr. Straight is the Chair of the Firm's Intellectual Property Section.

Mr. Straight maintains an AV Preeminent (4.6) rating with Martindale-Hubbell, which is the highest rating awarded to attorneys for professional competence and ethics. He has also been selected for inclusion in *Mountain States Super Lawyers* (2007, 2009-2017) in the category of Intellectual Property Litigation. Mr. Straight was named one of the *Mountain States Super Lawyers* Top 100 (2012, 2013 and 2016) and as one of the Top 25 Salt Lake City Super Lawyers (2013). These lists highlight attorneys who received the highest point totals in the Utah nomination, research, and blue ribbon review process. Mr. Straight is recognized in *Chambers USA* in Intellectual Property Law (Band 3). He has been included on the list of *The Best Lawyers in America* in Intellectual Property Litigation and was recognized by *Best Lawyers* as "Lawyer of the Year" in Patent Litigation for 2017. He has also been voted by his peers throughout the state as one of Utah's "Legal Elite," as published in *Utah Business Magazine* (2005-2018).

## REPRESENTATIVE CASES

- *Gator Tail v. Mud Buddy and Go-Devil*, 29 F.Supp.3d 753 (M.D. La. 2014), *aff'd*, 618 Fed. Appx.



992, (Fed. Cir. 2015), represented outboard motor manufacturer Mud Buddy as lead counsel and obtained judgment at trial that patents asserted against Mud Buddy were invalid; argued appeal before the Federal Circuit, which affirmed the trial judgment.

- Represents Microsoft in numerous intellectual property actions the U.S. District Court for the District of Utah. See, e.g., *Corel v. Microsoft*, 2:15-cv-00528; *Microsoft v. Softwaresituation.com et al.*, 2:16-cv-00025, *Microsoft v. MBC et al.*, 2:00-CV-217.
- Represented Brigham Young University and Dr. Daniel Simmons in breach of contract and trade secret case against Pfizer related to the drug Celebrex in the U.S. District Court for the District of Utah, Case No. 2:06-CV-890.  
[http://www.nytimes.com/2012/05/02/health/pfizer-settles-byu-lawsuit-over-development-of-celebrex.html?\\_r=0](http://www.nytimes.com/2012/05/02/health/pfizer-settles-byu-lawsuit-over-development-of-celebrex.html?_r=0)
- Represented the *United States Olympic Committee* and the *Salt Lake Organizing Committee for the Olympic Winter Games of 2002* in a number of actions enforcing their trademarks and copyrights in the U.S. District Court for the District of Utah, including use of John Doe seizure orders. See, e.g., *USOC et al. v. Doe*, 2:02-CV-105; *USOC v. Quiksilver et al.*, 2:02-CV-57.
- *Facebook v. Mitel*, 4:12-cv-04230-PJH, U.S. District Court for the Northern District of California, defended Mitel against claims of patent infringement.
- *CytoSport, Inc. v. Vital Pharmaceuticals, Inc.*, 617 F. Supp. 2d 1051 (E.D. Cal. 2009), *aff'd*, 348 Fed. Appx. 288 (9th Cir. 2009), U.S. District Court for Eastern District of California, obtained Preliminary Injunction, affirmed by the Ninth Circuit, on behalf of the makers of Muscle Milk in trademark and trade dress infringement action.
- *Hospital Systems Corp. v. Novarad Corp.*, 2:07-CV-389, U.S. District Court for the Eastern District of Texas, defended Novarad against patent infringement claims.
- *Tahitian Noni International, Inc. v. Thomas H. Thornton et al.*, Civil No. 100104550, Fourth Judicial District Court, Utah County, obtained Preliminary Injunction against misappropriation of trade secrets and solicitation of network marketing distributors.
- *DigEcor, Inc. v. e.Digital Corporation*, 2:06-CV-437, U.S. District Court for the District of Utah,



obtained judgment in favor of e.Digital as lead trial counsel on all claims asserted at trial, including judgment dismissing claims for several million dollars in damages; also obtained summary judgment in favor of e.Digital against claims to enjoin e.Digital's business.

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## Education

**Duke University**, J.D., LL.M. in transnational and comparative law, 1996

- *cum laude*

**Georgetown University**, B.S.F.S., International Affairs, 1991

- *cum laude*

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## Prior Professional Experience

- Associate, Akin, Gump, Strauss, Hauer & Feld, Washington, D.C., September 1997 – March 1999
- Clerkship, Hon. Stephen H. Anderson, U.S. Court of Appeals, 10th Circuit, September 1996-August 1997

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## Admitted to Practice

- Utah State Bar, 1996
- District of Columbia Bar, 1998
- United States Court of Appeals, 10th Circuit
- United States District Court, District of Utah
- Court of International Trade
- United States Court of Appeals, Federal Circuit



## Professional and Civic Activities

- Chair, Utah Capital Investment Board (2015-present)
- Member, Utah Capital Investment Board (November 2011-present)
- Member, Board of Directors, The Leonardo (February 2010-2013)
- Adjunct Professor of Business Law, Westminster College (2009-present)
- Chair, Intellectual Property Section, Utah State Bar (2006-2007)
- Member, Salt Lake City Community Development Advisory Board (2001-2006)

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## Publications / Presentations

- GATT & NAFTA: Marrying Effective Dispute Settlement and Sovereignty of the Fifty States, 45 DUKE LAW JOURNAL 216 (1995)