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Brit Davis is a trial lawyer focusing on high-stakes patent and trade secret disputes involving complex technologies in U.S. district courts, the International Trade Commission, and the Patent Trial and Appeal Board.

Brit has experience in all phases of patent, trade secret, trademark, and trade dress litigation on behalf of both plaintiffs and defendants, from initial diligence investigations, through trial and appeals. Brit has been trial counsel to companies in cases where hundreds of millions to billions of dollars were at stake. Clients call on Brit to try the most difficult cases on the most important issues.

Recently, Brit was trial counsel for Skillz, Inc. in its \$43M willful infringement patent verdict over competitor Avia Games in the Northern District of California. Brit ran the technical side of the case for Skillz and was responsible a devastating cross examination of Avia's technical expert, which included a stinging rebuke of the expert by the court for improper testimony and an admission that Avia's actions were "problematic." Brit's cross of Avia's expert was described as a "head shot after head shot." The Skillz verdict won the *American Lawyer's* prestigious Litigator of the Week honors.

Brit also has experience with securities fraud class actions, ERISA class actions, FACTA class actions, and corporate derivative actions, as well as experience representing clients in connection with governmental investigations and various commercial matters.

Prior to beginning his legal career, Brit worked as an engineer for Veeco Instruments Inc., in the Metrology & Instrumentation Group. At Veeco, Brit designed, built, and implemented new products and product improvements in Veeco's research-focused line of atomic force microscopes. Brit's product design experience covers mechanical, optical, and electrical systems; programmable semiconductor devices; and design for manufacturability and cost reduction.

SELECTED MATTERS

- **Skillz v. AviaGames** (N.D. Cal.) - Trial counsel for **Skillz** in competitor-on-competitor patent suit relating to online skill-based gaming against Avia. Jury awarded \$42.9M in damages and found willfulness.
- *Certain Blood Flow Restriction Devices with Rotatable Windlasses and Components Thereof* (ITC, 337-TA-3676) - Lead counsel for complainants **Composite Resources** and **North American Rescue** in a patent, trademark, and trade dress suit relating to importation of knock off Combat Application Tourniquets.
- **Attentive Mobile Inc. v. Postscript** (D. Del.) - Counsel for Attentive Mobile in competitor-on-competitor suit on patents relating to advertising technology.
- **Attentive Mobile Inc. v. Emotive** (D. Del.) - Counsel for Attentive Mobile in competitor-on-competitor suit on patents relating to advertising technology.

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- **Webroot, Inc. et al v. Trend Micro, Inc., Crowdstrike Holdings, Inc., Sophos Ltd., AO Kaspersky Lab, and Forcepoint LLC** (W.D. Tex., J. Albright and MJ Gilleland) - Lead counsel for **Webroot** and **Open Text** in competitor-on-competitor cases involving antivirus and endpoint security software.
 - **Open Text v. Hyland Software** (C.D. Cal.) -- Co-lead counsel for Open Text in competitor-on-competitor suit on 9 patents across multiple jurisdictions relating to various aspects of enterprise content management software. Case settled before trial.
 - **Panasonic Corp. v. Getac Technology Corp. and Getac Inc.** (C.D. Cal.) –Trial counsel for defendant; ruggedized computers; design patents.
 - **Certain Tunable Lenses**, Inv. No. 337-TA-1282 - Co-lead counsel for **Holochip** in competitor suit at the ITC. Case settled before trial.
 - **Certain Optical Enclosures**, Inv. No. 337-TA-1274 - Co-lead counsel for LiDAR lens manufacturer in competitor suit on trade secrets.
 - **Karetek Holdings v. Keeper Security** (D. Del.) - Counsel for defendant Keeper Security in patent case relating to web security features. Case settled favorably.
 - **Certain Semiconductor Devices (I)**, Inv. No. 337-TA-1176 - Counsel for **TSMC** in bet-the-company suit by GlobalFoundries. Technical lead on patents related to high-performance semiconductor nodes.
 - **Certain Vehicle Security Remote and Convenience Systems**, Inv. No. 337-TA-1152 - Co-lead counsel for defendants in multi-patent bet-the-company competitor suit. Case settled before trial.
 - **Sequoia Technology, LLC v. Super Micro Computer, Inc.** (D. Del.) - Counsel for Super Micro in patent case relating to NAS and RAID arrays.
 - **Alarm.com v. SecureNet Technologies, LLC** (D. Del.) - Counsel for defendant SecureNet in competitor-on-competitor case involving patents related to home security systems. Jury trial related in complete defense verdict for SecureNet.
 - **Cisco v. Focal IP** — IPR counsel for Cisco in case involving VoIP and web-based calling features. All challenged claims were found unpatentable by the PTAB on final written decision.
 - **Open Text v. Box.com, et al.** — Trial counsel for Open Text in competitor-on-competitor case involving cloud based data storage and document management software. The jury found Box infringing all claims.
 - **Cisco v. Vir2us** — IPR counsel for Cisco in case involving antivirus software, operating systems, and virtual machines. Case settled shortly after IPRs were filed.
 - **Open Text v. Alfresco Software** — Litigation counsel for Open Text in competitor-on-competitor case involving cloud based data storage and document management software. Case settled before trial.
 - **Patent Asset Licensing v. Bright House Networks** - Litigation and IPR counsel for Bright House Networks in case involving VoIP and web-based calling features. Case was stayed pending IPRs. All challenged claims were found unpatentable in IPR.
 - **SportBrain v. Fitbit** — Litigation counsel for Fitbit in case involving web-based tracking of pedometers.
 - **EMC v. ACQIS** - IPR counsel for patent owner ACQIS in two IPRs filed by EMC on patents involving high-speed computer architecture. All instituted claims were upheld by the PTAB on final written decision.
 - **Enfish v. Microsoft Corp., et al.** - Litigation and appeal counsel for Enfish in case involving database software. Case settled after Enfish's patents survived section 101 patentability challenges and IPR appeals at the Federal Circuit. The Federal Circuit's section 101 decision on Enfish's patents was a landmark decision on patentable subject matter.

*These matters were handled prior to joining Cahill

Professional Activities

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- Tau Beta Pi, National Engineering Honor Society
 - Pi Tau Sigma, National Mechanical Engineering Honor Society
 - Colorado Bar Association, Intellectual Property Section

Education

University of Texas, J.D.

University of California, Santa Barbara, B.S.M.E.

Practices

Technology IP Litigation

Intellectual Property Litigation

Admissions

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Federal Claims

U.S. District Court for the Eastern District of Washington

U.S. District Court for the Western District of Washington

U.S. District Court for the District of Colorado

Colorado