



Benjamin L. Caplan

Of Counsel

benjamin.caplan@wilsonelser.com

Los Angeles, CA – 213.330.8930

Benjamin Caplan is a successful trial lawyer who has represented individual, corporate, institutional, and public entity clients in litigation and transactional matters. He has litigated civil actions in state and federal courts in the areas of corporate and partnership disputes, trade secret and intellectual property, complex contract and indemnity disputes, real property and land use litigation including inverse condemnation claims, and landlord-tenant disputes including habitability and premises liability.

Ben is well versed in product liability claims, complex construction defect litigation, and general personal injury matters including catastrophic personal injury and wrongful death claims. Ben has advocated for clients as counsel of record before the United States Patent and Trademark Office and the Trademark Trial and Appeal Board. He also has handled appeals in the California Court of Appeal and the Ninth Circuit.

Public Utilities

A significant portion of Ben's practice involves public utilities and public utility law. Ben is well versed in California Public Utility Commission regulations and has successfully obtained summary adjudication against several inverse condemnation claims brought against public utilities.

Personal Injury Defense

Ben has served clients as lead counsel in high-stakes tort litigation involving allegations of catastrophic personal injury, wrongful death, property damage, and real property disputes.

Commercial, Business, Trade Secret & Intellectual Property Disputes

Ben has litigated complex cases involving partnership disputes, alleged trade secret misappropriation, and violations of intellectual property rights.

Services

- Commercial Litigation
- Complex Tort & General Casualty
- Intellectual Property & Technology
- Appellate

Education

- Loyola Law School, Los Angeles (J.D., 2009)
 - Senior Research Editor, Loyola of Los Angeles International and Comparative Law Review
 - Dean's Honor's List
- University of California, Santa Cruz (B.A. History, 2002)

Bar Admissions

- California

Court Admissions

- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, Central District of California
- U.S. District Court, Southern District of California
- U.S. District Court, Northern District of California

Representative Matters

Served as first chair in a complex contract dispute involving the enforceability of a large promissory note, obtaining a 12–0 verdict after a three-day jury trial.

Key member of the defense team that won a 12–0 defense verdict for a large public utility company accused by more than 450 plaintiffs of starting a huge, explosive, and toxic industrial fire in Maywood, California.

Member of the trial team instrumental in eliminating the plaintiffs' Inverse Condemnation claim in a motion for summary adjudication, and defended the trial court's decision in response to the plaintiffs' writ application.

Achieved summary judgment in a catastrophic injury claim involving allegations of a traumatic brain injury.

Brought a successful anti-SLAPP motion to dismiss a claim for libel and tortious interference with contract relating to an online consumer review, and obtained an award of attorney's fees.

Obtained summary judgment and attorney's fees in a multi-year partnership dispute involving allegations of securities fraud and embezzlement relating to private jet management and jewelry investments.

Obtained dismissal and an award of attorney's fees in a federal copyright and trademark

action concerning the transport of allegedly counterfeit goods.

Successfully defended in California Appellate Court a grant of summary judgment in a wrongful death toxic exposure case.