



## Shawn A. Mangano

Of Counsel

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Shawn Mangano has more than 25 years of experience representing businesses and individuals in all aspects of intellectual property and complex commercial litigation matters. His practice focuses on the prosecution and defense of claims such as patent infringement, trademark infringement, copyright infringement, trade secret misappropriation, and business litigation cases. He has successfully tried multiple state and federal court bench and jury trials over the course of his career. Shawn also has argued before the United States Court of Appeals for the Ninth Circuit and the Supreme Court of Nevada.

Prior to joining Wilson Elser, Shawn served as senior counsel with a boutique international intellectual property litigation firm. In that position, he helped to develop a Schedule “A” trademark and copyright enforcement practice targeting counterfeit sellers on several of the world’s largest online sales platforms. These enforcement efforts resulted in the recovery of more than \$16 million in judgments and settlements on behalf of his clients.

Shawn also served as in-house counsel for a company responsible for serving clients in more than 40 countries. As in-house counsel, Shawn was responsible for establishing terms of use, privacy policies, and spam policies, as well as employee, independent contractor, and vendor agreements. As a result of this experience, Shawn developed an appreciation for taking proactive measures to limit his clients’ exposure to the risk and expense of preventable litigation.

### **Intellectual Property Litigation**

Shawn has represented numerous businesses and individuals in copyright, trademark, and patent litigation in federal courts located throughout the country. Most recently, he successfully enforced federally secured copyright and trademark rights against more than 2,700 defendants in approximately 30 separate federal court actions. In addition, he has successfully prosecuted and defended numerous patent infringement actions commenced

### **Services**

- Intellectual Property & Technology
- Commercial Litigation
- Appellate
- National Trial Team

in states such as California, Nevada, Illinois, and Delaware. Shawn also has successfully prosecuted and defended several cases involving trade secret misappropriation. Shawn believes that the key to effectively representing clients in intellectual property disputes is to distill complex issues into concepts that can easily be understood.

### **Commercial Litigation**

Shawn has tried numerous state and federal court bench and jury trials in state and federal court involving complex commercial litigation matters in claims such as the enforcement of lien rights, breach of contract, fraud, unjust enrichment, and the right of publicity. Additionally, Shawn has defended and secured several injunctive relief matters on behalf of his clients in both state and federal court.

### **Appellate**

Shawn has successfully argued before the United States Court of Appeals for the Ninth Circuit. He has also argued before the Supreme Court of Nevada. In addition, Shawn has sought and defended emergency motions before the United States Court of Appeals and the Supreme Court of Nevada. In representing his clients' appellate actions, Shawn has gained an exceptional appreciation for making sure rights are effectively preserved at the trial court level so that they may be raised on appeal.

### **Education**

- University of San Diego School of Law (J.D., 1998)
  - Honors, Lawyering Skills I (Legal Research & Writing)
  - Best Memorandum, Lawyering Skills
  - Judicial Extern, Hon. Lourdes G. Baird, U.S. Dist. Court, Central District of California, 1998
  - Judicial Extern, Associate Justice W.F. Rylaarsdam, California Court of Appeal, 4th District, 1997
- University of Southern California (B.A., *cum laude*, 1994)
  - Blackstonians Pre-Law Honor Society

### **Bar Admissions**

- Nevada
- Illinois
- California

### **Court Admissions**

- U.S. Court of Appeals, Federal Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Second Circuit

- U.S. District Court, District of Nevada
- U.S. District Court, Northern District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Central District of California
- U.S. District Court, Southern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, District of Colorado
- U.S. District Court, Western District of Wisconsin
- U.S. District Court, Eastern District of Arkansas
- U.S. District Court, Eastern District of New York

## Representative Matters

Secured temporary and permanent injunctive relief against hundreds of Chinese online counterfeit operators in multiple copyright enforcement actions.

Secured temporary and permanent injunctive relief against hundreds of Chinese online counterfeit operators in multiple federal court trademark enforcement actions.

Obtained summary judgment in a publicly traded client's favor in an action seeking an award of more than \$40 million in damages for patent infringement.

Obtained relief in an attorney's defamation claim asserted against one of the world's largest online retail platforms.

Prevailed in a federal court bench trial that sought to enforce certain lien rights held in two privately owned national monuments.

Successfully defended client's right to hold an auction of certain highly valuable memorabilia items in an injunctive relief action brought by an international pop music superstar.

Qualified as an expert in Nevada real estate law in a high-profile celebrity divorce case brought in Pinellas County Court, Clearwater, Florida.

### Published Decisions

*Righthaven LLC v. Hoen*, 2013 WL 1153979 (9th Cir. May 9, 2013)

*Righthaven LLC v. Hoehn*, 792 F.Supp.2d 1138 (2011)

*Nelson v. Heer*, 123 Nev. 213 (2007)

*Nelson v. Heer*, 122 P.3d 1252 (2005)

*ADE Corp. v. KLA-Tencor Corp.*, 220 F.Supp.2d 303 (D. Del. 2002)

## Client Wins

### **Thome and Mangano Prevail in Non-Payment Dispute**

Sheri Thome (Partner-Las Vegas) and Shawn Mangano (Of Counsel-Las Vegas) represented a lawyer who was sued for malpractice for failing to prepare adequate damages disclosures before withdrawing from a commercial case for non-payment. Substitute counsel undertook representation and provided supplemental damage disclosures the day before the close of discovery. The disclosures were inadequate, and were made more than eight months after our client had withdrawn. The court eventually granted a motion in limine that included a finding that new counsel had willfully violated disclosure obligations, thereby justifying claim-terminating sanctions. Subsequently, the former client filed separate lawsuits against both firms. Our client moved for summary judgment on causation, arguing that substitute counsel – and not our client – was responsible for any damages incurred by the plaintiff by virtue of the court ruling on the motion in limine. At oral argument, the Court granted summary judgment in our client's favor.