

Jennifer McGlone, Partner

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Jennifer McGlone represents clients within the Silicon Valley corridor and across the country in developing, managing and protecting their intellectual property, trade secret, and business portfolios.

Throughout her career, Jennifer has been involved in complex, multi-party commercial disputes. She is quite capable of handling all facets of a client's needs for protection, be those in dealing with a vendor, customer, or adversary, against the U.S. Patent and Trademark Office, the FDA or other regulatory entity, and when necessary, in the courts.

Jennifer has experience litigating and trying national and international commercial disputes, including representing companies and individuals in high-stakes "bet the company" or "bet the career" matters. She has represented a vast array of clients, from small, two-person companies seeking "seed" funding, to post-launch founders who are looking to transition to the next stage, to large companies who face competitive threats to their brand, their intellectual property portfolio, their products, or their market share.

When in court, Jennifer translates complex technology and arguments into an accessible, compelling narrative. Her efforts to assist her clients in effectively leveraging their legal resources and her dedication to providing clarity in all matters—has been strongly influenced by her experience as a graduate research fellow with the Stanford Center for Conflict Negotiation.

Jennifer's professional mission is to help her clients understand their business objectives and needs, assist them in positioning themselves to leverage and grow, and protect what they have built—all in a cost-efficient, appropriate way. As an experienced litigator, she knows how to achieve results inside, and outside, the courtroom.

Before joining Holland Law, Jennifer practiced at Keller, Sloan, Roman, & Holland LLP, and the international law firm of Thelen LLP.

Noteable Engagements

- Successful defense of major consumer products company against patent infringement claims. Result: extremely favorable settlement after winning key pre-trial motions invalidating opponents' patents and preventing opposing experts from testifying.
- Successful representation of California Department of Insurance through trial and appeal in fraud and breach of contract case against several French companies, banks, and individuals arising from the insolvency of Executive Life Insurance Company. Result: \$700 million jury verdict for Department of Insurance.
- Represented whistleblower in federal False Claims Act case; direct liaison to Attorney General's office in establishing government criteria for pursuit of False Claims Act allegations.
- Successfully defended multiple corporate clients in False Claims Act allegations. Advised individuals and corporations in white-collar criminal and whistleblower investigations.
- Successfully defended corporate directors and officers in complex, multi-party contract dispute. Result: extricated clients entirely from litigation at the initial pleading stage, then successfully defended dismissal on appeal.
- Pursued claims on behalf of founder and several classes of shareholders for wrongful acquisition of company and inequitable treatment of shareholders. Result: achieved successful settlement for founder and shareholder class.
- Successful handling of series of arbitrations on behalf of plaintiff investors against major financial firm based on its offering and handling of investment fund. Result: arbitration victories for plaintiffs.
- Successful defense of professionals confronted with allegations of Ponzi scheme and failure to adequately warn of the alleged scheme. Result: achieved dismissal for professionals before trial.
- Represented several consumer advocacy groups in trial challenges to proposed statutes and regulations. Filed successful *amicus curiae* appellate briefs.
- Significant pre-and post-trial work on antitrust cases for corporate client, including sole responsibility for the issue of jury instructions on evolving antitrust doctrine.
- Multiple arbitration successes: secured awards in favor of clients on contract and partnership claims, and successfully defended and enforced awards; successful enforcement of and defense against arbitration provisions.

- Multiple successful representations of clients in declaratory relief actions regarding partnership agreements. Results: renegotiated partnership commitments (including intellectual property and antitrust issues), avoiding or resolving litigation entirely.
- Represented independent video game developer in fraud and breach of contract litigation arising out of video game engine licensing agreement.
- Assisted company and company founder in protecting multiple forms of corporate intellectual property; secured expert witness testimony instrumental in persuading USPTO to revisit rejection and issue patent.
- Assisted several start-up companies with structuring corporate agreements in manner that would protect their IP, and successfully avoided potential litigation with co-inventor.
- Advised myriad of clients on insurance litigation and regulatory issues. Co-author of Current Legal Issues Affecting the Rights of State Self-Insurance Guaranty Funds, IAIABC Journal (Spring 2007).

Education

- Stanford Law School, J.D. (2000)
- University of California Berkeley, B.A. Dual major in English and Political Science (1996)

Professional Affiliations and Activities

- “Discovery in Cross-Border Litigation: The Dilemma of an American Litigator Abroad: Navigating Extraterritorial Discovery in Commercial Disputes and Intellectual Property Litigation”: published and presented at the State Bar of California 86th Annual Meeting, San Jose, California (October 12, 2013)
- Solo presenter to International Trademark Association on U.S. and Cross-Border IP issues.
- Multiple solo IP presentations at conferences on health, sciences and entertainment.

Bar Admissions

- All California Federal District Courts
- All California State Courts
- Ninth Circuit Court of Appeal