



# Jonathan E. Gale

Associate

Miami

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Jon focuses his practice on intellectual property litigation including restrictive covenants and related employment law. Jon also handles trademark prosecution and commercial litigation. Jon works with a variety of clients including technology, telecommunication, and e-cigarette.

Prior to joining the firm, Jon worked as an Assistant State Attorney for the Miami-Dade State Attorney's Office in the 11<sup>th</sup> Judicial Circuit. While at the State Attorney's Office, Jon was a courtroom training advisor. Jon handled over 50 trials, including both jury and bench trials at the felony and misdemeanor levels.

Jon earned his undergraduate degree, *cum laude*, from the University of Florida. Jon earned his law degree from the University of Florida School of Law. While attending law school, he interned at Feldman Gale, a boutique intellectual property law firm, before going on to clerk for U.S. Magistrate Judge John J. O'Sullivan. During law school, Jon also served as a certified legal intern for the Miami-Dade State Attorney's Office.

## Experience

*Blackberry, Ltd. v. Blu Products, Inc.*—Defended Blu Products, the largest seller of unlocked smartphones, against claims brought by Blackberry involving 15 patents and over 184 claims relating to the Android operating system and smartphones. After taking the case over, we obtained a continuance, and then filed a Motion to Stay based upon 4 pending IPRs, while working on 11 others. After the court granted a stay, the case settled favorably.

*LG Electronics v. Blu Products, Inc.*—Defended Blu Products, the largest seller of unlocked smartphones, in ITC proceeding on 5 SEP patents relating to smartphones. Filed suit in the Eastern District of Texas against LG claiming that it breached its obligations under ETSI to provide reasonable license under the patents and sought injunctive relief to prevent enforcement of the ITC exclusion order. The case settled one week prior to our Motion for Preliminary Injunction in Texas.

*Ericsson Electronics v. Blu Products, Inc.*—Defended Blu Products, the largest seller of unlocked smartphones, against injunction claims brought by Ericsson in Brazil. Negotiated favorable worldwide license.

*Egnyte, Inc. v Citrix Systems, Inc. (Sup. Ct. CA) and Citrix Systems Inc. v. Egnyte, Inc., et al.*—Egnyte hired seven employees from Citrix and filed suit in state court in California both for declaratory relief and damages under California Bus. and Prof. Code 17200. Citrix then sued Egnyte in Florida state court and filed for injunctive relief against Egnyte and the seven former employees. We then filed a motion to stay/abate, which the court determined should be heard before any injunction motion. The motions are currently pending.

*Alliant Insurance Services, Inc. et al v. Wells Fargo & Company et al (D. Ga.)*—Represented a new employee of Alliant Insurance Services, a commercial insurance brokerage, in an action to invalidate non-disclosure and non-solicitation covenants on behalf of a former Wells Fargo employee. The matter settled on favorable terms for our client.

## Practice Areas

- Intellectual Property Litigation
- Trademark & Copyright
- Trade Secrets & Unfair Competition
- Entertainment Law

## Industry Sectors

- Sports
- Media & Entertainment
- Food & Beverage

## Education

- University of Florida School of Law, J.D., 2013
- University of Florida, B.A., *cum laude*, 2010

## Bar Admissions

- Florida

## Affiliations

American Bar Association

Broward County Bar Association

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