



Jennifer A. Mauri

Senior Associate

Internet, Software & Technology

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Profile

Jennifer Mauri is a senior associate in M&R's Orange County office. A member of the firm's Intellectual Property Practice Group, she focuses her practice on patent and trademark litigation, handling matters from pre-suit evaluation and patent portfolio analysis through discovery, law and motion practice, trial and appeals—this in cases venued in federal courts, including the Northern and Central Districts of California and the Federal and Ninth Circuit Courts of Appeals. Jennifer litigates complex cases involving science and technology in state courts as well.

At M&R, Jennifer manages and handles the firm's trademark prosecution and counseling practice. In that capacity, she has compiled an impressive track record of wins on behalf of a diverse clientele,

having litigated cases involving a wide range of technologies. These include medical devices, pharmaceuticals, computer hardware and software, and electronic devices.

Prior to joining M&R in 2016, Jennifer was an associate at one of the largest law firms in the U.S., where she honed her skills as a complex patent litigator and helped counsel clients on their IP-related issues. Then—as is still the case—she was admitted to practice before the U.S. Patent and Trademark Office. Today, Jennifer leans on her deep background in IP law to advise companies on issues concerning IP enforcement strategies, portfolio management, due diligence, and other commercial matters.

Within M&R, Jennifer is the former Chair of the firm's Electronically Stored Information (ESI) committee. She leverages that position to consult with clients on e-discovery issues, most notably, the utilization of ESI/e-discovery as a tool in litigation. She was also Chair of WAMR (Women Attorneys of M&R), which has as its primary objective the development of the firm's female lawyers.

Prior to becoming an attorney, Jennifer enjoyed a career in microbiology at Baxter International, the global pharmaceutical company, where she gained insights into the life sciences industry that help her better understand the issues that companies face when developing IP.

Associated Industries

Internet, Software & Technology

Associated Practices

Class Action & Complex Litigation, Intellectual Property

Representative Matters

Patent Infringement: Defended a software and game developer against allegations of patent infringement based on its sales of video games that used lip-synchronization software to generate animated mouth movements synced to audio files. Assisted in successfully invalidating the patents-at-issue under Section 101 of the Patent Act., California Consumer Legal Remedies Act/False Advertising: Represented a video game manufacturer in a potential class-action dispute over the advertised quality and content of its products. Successfully engaged in extensive pre-suit negotiations, which resulted in a favorable resolution to the dispute prior to the filing of a lawsuit., **Class Action:** Represented two insurance companies that issued master insurance policies to a rental car company allowing it to offer optional coverage to customers. By way of the litigation, 70,000 class members maintained that the price the rental car company charged for that insurance exceeded the rates approved by the California Department of Insurance. With that as a premise, the class—approved for certification—sued the insurers and rental car company, alleging, among other things, that the fee violated various provisions of the Insurance Code. After a bench trial, the lower court found in favor of the defendants, and, on appeal, the appellate court affirmed that determination, ruling that the plaintiffs' claims against the insurers were based on Insurance Code provisions inapplicable to their interactions with the rental car company. More broadly, it was held that the plaintiffs failed to establish any illegal

business practice or economic injury. The sweeping victory in the appellate court was memorialized in an opinion certified for publication—the first time a case involving the issues presented has been published.

Class Action: Successfully represented insurance-related defendants in a putative class-action on an issue of first impression. Class members in nine states sued on causes of actions for unjust enrichment and violations of the Racketeering Influenced and Corrupt Organizations Act (“RICO”) and Truth in Lending Act (“TILA”) against the defendants, which were accused of selling overlapping roadside assistance memberships, subjecting them to multi-million dollar damages. Significantly reduced client exposure by filing a complex motion to dismiss, and then negotiated the dismissal of the entire action with prejudice.

Copyright Infringement/Class Action: Successfully represented the plaintiffs in a class action that garnered tremendous media attention as it sought \$200M in damages against digital music service, Rhapsody International, Inc., for knowingly and unlawfully reproducing and distributing copyrighted compositions without obtaining mechanical licenses. The issues presented in the case exposed the chasm between rapidly evolving digital music technology and statutory compliance. Helped to secure favorable settlement that is now in the class notice phase, with a hearing for final approval scheduled in March 2020.

Breach of Contract: Successfully negotiated a settlement for one of the largest non-profit philanthropic organizations in the world. In so doing, enforced contract terms limiting a contractee’s ability to obtain patent rights on jointly developed technology, and created a settlement in which all patent rights on the jointly developed technology were abandoned and unenforceable by the contractee.

False Claims Act: Represented a pharmaceutical company suing on behalf of the U.S. and state governments due to another pharmaceutical company’s wrongfully attaining patent rights and overcharging government agencies, including Medicare and Medicaid and the Veterans’ Administration, during the term of the wrongfully obtained patent it claimed covered the drug.

Patent Due Diligence: Retained by a manufacturer of blind spot and lane departure systems for automobiles to evaluate its family of patents and draft an opinion on their validity and the freedom to operate under them, all in advance of the sale of the successful sale of the manufacturer.

Patent Infringement: Represented a generic pharmaceutical company in a patent infringement action involving two pharmaceutical test method patents. Assisted in overturning a preliminary injunction instituted against the client, thus allowing it to market and sell a drug (which resulted in annual sales of \$2B). Subsequently prepared a winning motion for summary judgement.

Patent Portfolio Management: Retained by a major pharmaceutical manufacturer to analyze its issued and pending patent claims related to a specific drug product. Analysis helped the manufacturer to successfully file additional patent applications that maximized the patent coverage possible for the product.

Trademark Infringement: Represented a major media company in a dispute over the unauthorized use of its trademarks by a competitor. Successfully engaged in pre-suit negotiations, which resulted in a favorable resolution to the dispute prior to the filing of a lawsuit.

Trademark Infringement/Sanctions Award: Obtained a massive \$250,000 sanctions order for the failure of a defendant and its attorney in a trademark infringement case to participate in discovery. A Judge in the United States District Court issued his staggering ruling after the defendant neglected to respond to our client’s discovery requests and then refused to abide by the Court’s order to provide responses to interrogatories and produce documents, which was requested by way of our comprehensive motion to compel.

Bar & Court Admissions

- State Bar of California
- U.S. Courts of Appeals for the Federal and Ninth Circuits

- U.S. District Court for the Central District of California
- U.S. Patent and Trademark Office

Professional Affiliations

- American Intellectual Property Law Association
- Orange County Bar Association
- International Trademark Association

Education

- University of San Diego School of Law, J.D.
- University of Southern California, B.S.

Award & Special Recognition

- Rising Star, *Super Lawyers Magazine* (2020-2021)
- Wiley W. Manuel Award, California State Bar (2008-2009)

Newsroom

Publications - 06/19/2024 10:00am

Biggest AI Developments of 2024 So Far and What's Ahead

Media Mentions - 06/14/2024 9:12am

Supreme Court Rules 'Trump Too Small' Trademark Violates Lanham Act

Media Mentions - 05/13/2024 10:20am

Discovery Rule Dodge Puts Justices' Damages Ruling on Thin Ice

Media Mentions - 05/10/2024 12:20pm

SCOTUS Dodges Discovery Rule Issue in Warner Chappell but Lifts Damages Time Bar

Media Mentions - 05/09/2024 10:35am

Copyright Act Places No Additional Time Limits on Damages Recovery for Timely Filed Claims

Media Mentions - 04/25/2024 2:47pm

Celebrating World IP Day: Is the Innovative Future Sustainable?

Media Mentions - 04/11/2024 1:36pm

U.S. Bill Would Require AI Companies to Disclose Copyrighted Work in Training Models

Media Mentions - 02/15/2024 10:35am

Partial Win for OpenAI in Dispute With High-Profile Authors

Media Mentions - 11/02/2023 1:25pm

Assessing the Arguments: Practitioners Predict Likely Loss for TRUMP TOO SMALL Applicant

Media Mentions - 11/02/2023 1:11pm

'Trump Too Small': SCOTUS Can Stop Being the Trademark Police', Say Lawyers

Media Mentions - 11/02/2023 1:01pm

Justices Skeptical of Attempt to Trademark Trump's Name

Publications - 11/08/2022 4:23pm

Jennifer Mauri published in Trademark Lawyer Magazine

Media Mentions - 05/22/2019 10:00am

Napster Fights Sanctions Bid Over Settlement Site Language

Publications - 09/01/2018 10:00am

Cheaters never prosper