Brian Esler

Partner

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"I consistently seek to find the best outcome available for each client—whether that means a negotiated solution or pursuing their rights all the way to a final court judgment."

Brian Esler's practice is focused on complex business litigation, intellectual property advice and litigation, construction litigation, defense of financial institutions, and appellate advocacy. He has broad courtroom experience in a variety of venues, having argued or tried cases in state, federal, and tribal courts, and before federal and state agencies. Brian has received a number of accolades including recognition by Super Lawyers as one of the "Top 100 Attorneys" in Washington, inclusion on the Benchmark Litigation list of "Washington Litigation Stars," and inclusion in *The Best Lawyers in America®*.

Brian's practice uniquely spans the fields of technology and construction. Brian has handled numerous intellectual property and technology disputes, especially in the area of trade secrets, with one judge commenting on his "demonstrated expertise in trade secrets litigation" when awarding his client fees for dissolving an injunction. Brian also represents a variety of construction industry clients involved in projects throughout the Pacific Northwest, including major public works projects. In addition, he is also a highly-skilled appellate advocate that has briefed dozens of appeals (including Supreme Court petitions for certiorari) and argued cases in every division of the Court of Appeals, the Washington Supreme Court, and the Ninth Circuit.

Brian is co-chair of the Business Torts and Unfair Competition committee of the ABA Section of Litigation. He formerly served on the Washington State Bar Association's Court Rules and Procedures committee. He is an active member of the Attorneys Council of the American Subcontractors Association and a Fellow in the Litigation Counsel of America, an invitation-only network of top litigators from around the country. Brian is also an accomplished arbitrator and mediator, serving as an appointed arbitrator for the King County Superior Court, as a panelist for the American Arbitration Association, and as a dispute resolution specialist for the World Intellectual Property Organization (WIPO).

Education

J.D., Georgetown University, *cum laude*, 1992

LL.M., London School of Economics and Political Science, with merit, intellectual property law, 2006

B.A., University of Pennsylvania, 1987

Bar Admissions

Idaho, 2006
Washington, 1992

Court Admissions

U.S. Supreme Court

Professional Activities

- King County Bar Association, Member
  - Judiciary and the Courts Committee, Past Chair
  - Local Rules Committee of the King County Superior Court, Past Representative
- American Bar Association, Member
  - Section of Litigation
    - Business Torts & Unfair Competition Committee, Cochair, 2023-present
  - Intellectual Property Law Section
  - Construction Law Forum
- American Subcontractors Association, Attorneys' Council, Member
- Associated General Contractors of America, Washington Chapter, Member
- Seattle Intellectual Property American Inn of Court, Master

Civic Activities

- British-American Business Council of the Pacific Northwest, Past Board Member
- Leadership Tomorrow Program, Graduate
- University District Food Bank Auction Committee, Member
- Woodland Soccer Club, Former Coach

Representative Experience

IP Litigation—Patent and Trade Secret

- Represent a home builder accused of infringing a number of patents.
- Represented a client in the fishing industry in pursuing trade secret, Computer Fraud and Abuse Act (CFAA), and other claims against former employees.
- Represented chemical process industry client in pursuing trade secret and related claims against a rival manufacturer.
- Represented publicly traded French company in defending against patent and trade secret claims arising out of its development of novel ultrasound technology. Case settled on a confidential basis near the close of discovery.
- Represented executive in a high-profile lawsuit brought by former employer, asserting claims that our client misappropriated trade secrets, violated fiduciary duties, and breached contractual obligations. The case included a six-day evidentiary hearing of the former employer's motion for terminating sanctions based on allegations that our client had knowingly destroyed relevant evidence. The court rejected the allegations, finding that our client was a credible witness who did not violate a duty to preserve evidence, did not act in bad faith, and did not engage in conduct that prejudiced the former employer. As trial approached, the court granted a number of summary judgment and evidentiary motions that significantly limited the scope and value of plaintiffs' claims. On what would have been the first day of trial, the parties were able to reach an amicable resolution that terminated the case.
- Represented Eastern Washington apple wax producer against claims of trade secret misappropriation and breach of previous injunction brought by Indian conglomerate arising out of client's new wax formulation. After a bench trial in Yakima County Superior Court, court agreed with client that there were no trade secrets to protect, dissolved previous injunction and awarded client its attorneys fees. As stated in the trial court's decision awarding fees, "Mr. Esler has demonstrated expertise in trade secret litigation . . ."
- Represented local manufacturer in pursuing claims of patent infringement and trade secret theft against large multi-national corporation involving chemical process technology. Case resolved with confidential settlement after we defeated numerous motions for summary judgment.
- Represented departed executive accused of breaching noncompete and misappropriating trade secrets. Case settled on a confidential basis.

- Represented building materials manufacturer in pursuing claims of breach of noncompete and trade secret misappropriation against departing employees. After obtaining injunctive relief, case settled.
- Represented local manufacturer in pursuing patent infringement claims regarding light-emitting diode technology against the federal government in the United States Court of Federal Claims pursuant to 28 U.S.C. § 1498.
- Represented fishing equipment manufacturer in defending against claims of design patent infringement.
- Represented and advised numerous government contractors and bidders on how to best position themselves to protect their confidential information from disclosure by the government.
- Represented and advised numerous private companies on how to preserve and protect their trade secrets.

IP Litigation—Trademark and False Advertising

- Represented a foreign company in case involving the intersection of the Lanham Act and the Convention on the Recognition and Enforcement of Foreign Arbitral Awards ("New York Convention"). Convinced U.S. Supreme Court to grant petition for certiorari reversing Ninth Circuit.
- Represented large national merchandising company against false advertising claims arising from a dispute involving rights to Jimi Hendrix merchandise and artwork. Obtained summary judgment dismissal of all claims, and an award of fees, both of which were upheld by the Ninth Circuit on appeal.
- Represented local author in Trademark Trial and Appeal Board proceedings, case settled favorably after mediation.
- Advised local sports gear manufacturer regarding potential trademark infringement claims.
- Represented local sporting goods manufacturer in pursuing false advertising claims against much larger competitor. After defeating defendant's motion for summary judgment, case settled confidentially.
- Represented large national manufacturer in pursuing false advertising claims against online competitor. Obtained summary judgment and a permanent injunction barring the false claims.
- Represented local transportation company in defending against claims of trademark infringement, including obtaining insurance coverage for defense of claims.
- Have represented numerous clients in Trademark Trial and Appeal Board opposition and cancellation proceedings.
- Regularly counsel clients on how to best protect and preserve their brands.

Copyright

- Represent and advise best-selling author in creating and protecting programming, website, and other materials.
- Represented and advised world-famous pyrotechnic artist in protecting software copyrights and trademarks.
- Represented radio station in defending against claims of copyright infringement arising out of use of a photograph in the station's blog.
- Represented video game manufacturer in pursuing copyright infringement and Digital Millennium Copyright Act (DMCA) claims against emulator.
- Represented bankruptcy trustee in seeking to preserve and enforce estate's copyrights.
- Represented bankruptcy trustee in investigating estate's rights in software and other copyrightable materials.
- Represent and advise best-selling book author in protecting copyright in book and related training and web services.
- Represented local health plan services provider in defending against claims of copyright infringement involving software products.

Construction Litigation—Government Projects

- Represent one of the largest systems integration and low volt subcontractors in the world in pursuing multimillion-dollar delay and other claims arising out of work performed on the Highway 99 single bore tunnel project.

- Represent large telecommunications system provider in public contracts bidding dispute with Washington agency.
- Represented large telecommunications systems provider in bid protest litigation with Oregon agency.
- Represented large telecommunications system provider in bid protest litigation with a county. Case settled shortly after we obtained a temporary restraining order preventing county from entering into contract with alleged lowest responsible bidder.
- Represented and advised a Washington public entity with regard to contractual and other issues arising from the bidding process on proposed improvements to its facility.
- Represented materials supplier on a public works project in defending against claims regarding allegedly defective high-density polyethylene piping.
- Represented materials supplier on a public works project in pursuing payment claims while defending against claims arising from allegedly defective concrete structures.
- Represented bridge designer in litigation brought by general contractor arising out of the designer's work on the I-405/I-5 to SR 169 Stage 1 Widening Design-Build Project. After multiple motions and mediations, and a one-day "mini-trial" before the mediators, case was successfully resolved.
- Represented public university in pursuing claims arising out of construction project in Boise, Idaho.
- Represented tribe in pursuing claims arising from installation of defective water treatment system.

Construction Litigation—Private Projects

- Represent West Coast general contractor in defending against claims arising out of the construction of a large multi-family building.
- Represent materials supplier in filing and foreclosing numerous mechanic's liens on projects throughout the Northwest.
- Represent and advise commercial general contractor specializing in data centers and high-tech headquarters on projects throughout the Northwest.
- Represented commercial tenant in pursuing indemnity claims against owner and others arising out of crane collapse at project.
- Represented materials supplier on a hospital construction project in defending against defect claims while pursuing payment claims.
- Represented general contractor in defending against and pursuing various claims arising out of a condominium project, including claims against the concrete and paving subcontractor for faulty installation.
- Represented property owner and contractor accused of puncturing sewer pipe running under the Duwamish River near the West Seattle Bridge.
- Represented owner in pursuing claims arising from improperly installed concrete flooring at its Federal Way headquarters.
- Represented general contractor in defending claims arising from construction of condominium complex, including negotiating issues arising from CCIP wrap coverage.
- Represented owner in easement dispute arising from the expansion of its Everett headquarters, culminating in a one-week bench trial.

General Commercial Litigation

- Represent a veterinary hospital in defending against antitrust and related claims.
- Represent various insured in pursuing insurance coverage claims arising from the COVID-19 pandemic.
- Represented university in seeking dismissal of defamation claims arising out of statements about the 2020 presidential election.
- Represented custom car manufacturer in defending against breach of contract and related claims.
- Represented blockchain cooperative in dispute with members.
- Represent lender and shareholders in seeking to recover investments in and loans to a failed cannabis company.

- Represented the FDIC in various actions arising from the 2008 financial collapse.
- Represented City of Seattle in defending against breach of settlement and related claims. *Dunn v. City of Seattle*, 420 F.Supp.3d 1148 (W.D. Wash. 2019).
- Represented Chinese company in defending against breach of contract, fraud and related claims arising out of log export business. After a week-long evidentiary hearing in Astoria, Oregon, court largely sided with our client and case settled shortly thereafter.
- Represented large national bank in defending against fraud and related claims; all claims dismissed on summary judgment.
- Represented regional bank in defending against various claims by borrowers.
- Represented agricultural cooperative in dispute with members.
- Represented automotive warranty company in dispute with ex-employee.
- Represented property owner in easement dispute; case settled after court granted our client summary judgment on its easement right claims.
- Represented homeowner in dispute with neighbors over rights arising from Covenants, Conditions & Restrictions (CC&Rs).
- Represented restaurant lessee in defending against landlord's claims and pursuing fraud and misrepresentation claims.
- Represented health savings account administration solutions provider in breach of software development contract dispute, including obtaining preliminary injunction to prevent defendant from switching to another provider. Case settled on confidential terms soon thereafter.
- Represented municipality in high-profile case involving novel First Amendment issues arising out of criminal investigations.

Appellate—State Court Appeals

- *Nunley v. Chelan-Douglas Health Dist.*, Case No. 395715 (Div. III): Represent appellee Chelan-Douglas Health District in defending dismissal on the pleadings of a claim of negligence arising out of a data breach.
- *Tulalip Tribes of Washington et al v. Lexington Ins. Co.*, Case No. 861158 (Div. III) (argued): Represent appellant Tulalip Tribes in seeking to reverse dismissal on the pleadings of a complaint for insurance coverage.
- *Washington State University v. Factory Mutual Ins. Co.*, Case No. 400930 (Div. III): Represent appellant WSU in seeking to reverse dismissal on the pleadings of a complaint for insurance coverage.
- *In Re American Eagle Mortgage 100, LLC et al*, Case No. 58822-6-II: Represent appellee receiver in defending challenge to bar order.
- *Global Tel*Link Corp. v. Washington State Dep't of Corrections, et al*, Case No. 56661-3-II, 521 P.3d 250 (2022): Represented appellant in seeking review of dismissal of bid protest action.
- *Hester v. State of Washington*, Case No. 98495-6 (S.Ct. 2020). Represent petitioners in pursuing constitutional claims (impairment of contract) against the State of Washington.
- *Roupp v. RChain Cooperative*, Case No. 81915-1 (2021). Represent appellant blockchain provider in appeal involving arbitration rights.
- *Feick v. Brutsche*, Case No. 54963-8-II (2021). Represent respondents in appeal involving cannabis company in receivership.
- *Dempcy v. Avenius*, Case No. 79697-6-I (2020). Represented appellant in dispute among neighbors as to rights and responsibilities with respect to common property.
- *Washington State Department of Revenue v. F.D.I.C.*, Case No. 71524-1-I (2015). Represented respondent F.D.I.C. (on the briefs, but did not argue the case).
- *Alexander v. Sanford*, 181 Wn. App. 135, 325 P.3d 341 (2014), petition for review granted, but dismissed by stipulation. Represented respondents in a case involving a variety of issues arising out of claims against the board members of a condominium association.

- *Patterson v. Northland Investment, Inc.*, Case No. 27696-1-III (2010). Represented appellant Pattersons in a case involving a real property dispute.
- *Gourley v. 180Solutions*, Case No. 59654-3-I (2008). Represented appellant Gourley (on the briefs).
- *Munro v. Swanson*, Case Nos. 55811-1-I, 56082-4-1 (2007). Represented Respondent/Cross-Appellant Munro in a lease dispute.
- *Gildon v. Simon Property Group, Inc.*, Case No. 53151-4-I, aff'd in part, reversed in part by 158 Wn.2d 483, 145 P.3d 1196 (2006). Represented petitioner Simon Property Group in case involving unsettled issues under Revised Uniform Partnership Act.
- *Washington State Grange v. Brandt*, 136 Wn. App. 138, 148 P.3d 1069 (2006). Represented respondent Washington State Grange in a case involving the application of the rule against perpetuities.
- *State v. Heckel*, 143 Wn.2d 824, 24 P.3d 404 (2001). Represented amicus curaie Washington Association of Internet Providers.
- *Washington State Bank v. Medalia*, 96 Wn. App. 547, 984 P.2d 1041 (1999). Represented appellant Medalia Healthcare, LLC. Involved the question of whether a purchaser of secured assets had committed conversion by allegedly interfering with security interest.
- *G.W. Equipment Leasing, Inc. v. Mt. McKinley Fence Co., Inc.*, 97 Wn. App. 191, 982 P.2d 114 (1999). Represented appellant G.W. Equipment. Involved a question of whether Arizona or Washington community property law should control the interpretation of a contract.

Appellate—Federal Court Appeals

- *Setty v. Shrinivas Sugandhalaya, LLP*, Supreme Court Case No. 19-623; Ninth Circuit Case No. 18-35573. Represented appellants and petitioners in pursuing appeal involving issues arising under the Lanham Act and the New York Convention. After the Ninth Circuit affirmed a trial court decision finding our client had no rights to compel arbitration because it was a non-signatory to the underlying arbitration agreement, successfully petitioned the United States Supreme Court to grant our client's petition for a writ of certiorari; Supreme Court vacated decision and remanded to Ninth Circuit.
- *Rockin Artwork, LLC v. Bravado Int. Group Merch. Svs., Inc.*, Case Nos. 17-35151, 17-35263 (9th Cir. 2018). Represented respondent in defending against appeal of summary judgment motion involving Lanham Act and state law claims.
- *Western Mortgage & Realty Co. v. KeyBank National Association*, Case No. 15-35821 (9th Cir. 2017). Represented defendants-appellees in appeal involving borrowers claims of breach of contract, fraud and misrepresentation. Ninth Circuit affirmed dismissal of claims and awarded fees.
- *In re MILA, Inc.*, 423 B.R. 537 (9th Cir. BAP 2010). Represented appellant bankruptcy trustee in seeking to recover proceeds of directors and officers insurance policy.
- *Davel Communications, Inc. v. Qwest Corp.*, 451 F.3d 1037 (9th Cir. 2006). Represented appellants in pursuing claims under the Federal Telecommunications Act of 1996.

Publications

- "Denied, but Not Defeated! F-Bomb Still in Play as Federal Circuit Breathes New Life Into Old Words," Miller Nash, *IP & Technology Law Trends* (Sept. 2025)
- "Washington Court of Appeals Confirms Contractor Can Appeal Denial of Intervention in Lien Foreclosure Suit," Miller Nash, *From the Ground Up* (Jun. 2025)
- "The Particularities of Trade Secret Identification," Miller Nash, *IP & Technology Law Trends* (May 2025)
- "Washington State Seeks to Ban Noncompetes Altogether," Miller Nash, *IP & Technology Law Trends* (Apr. 2025)
- "Companies Face a New Wave of Class Action Privacy Litigation," Miller Nash, *IP & Technology Law Trends* (Aug. 2023)

- "Generative AIs Challenged by Copyright and Related Rights: A Comparative Approach in European and US Law," Multilaw Content Hub, Coauthor (Mar. 2023)
- "Les IA Génératives à L'épreuve du Droit D'Auteur Et Des Droits Voisins Approche Comparée en Droit Européen Et Américain Données / Contenus Entrants (1Ère Partie)," Expertises, Coauthor (Mar. 2023)
- "FTC Proposes New Rule to Ban Employment Noncompetes," Miller Nash, *IP & Technology Law Trends* (Jan. 2023)
- "The Particularities of Pleading Fraud," American Bar Association (Mar. 2022)
- "Who's on First? Washington State Employer Liability at the Worksite for Safety Violations," Miller Nash, *From the Ground Up*, coauthor (Nov. 2021)
- "Merely Possessing Trade Secrets Does Not Create Liability For Misappropriation," Miller Nash, *IP & Technology Law Trends* (Sept. 2021)
- "The State is Still Free to Plunder Your Copyrights: *Jim Olive Photography v. University of Houston*," Miller Nash, *IP & Technology Law Trends* (Aug. 2021)
- "9th Circ. Withdraws Decision On Incense Co.'s Arbitration Bid," Law360, quoted (June 2021)
- "*Google v. Oracle* and the Future of Copyright in APIs," Miller Nash Graham & Dunn, *IP Law Trends* (Apr. 2021)
- "Stimulus Legislation Brings Substantial Changes to Trademark and Copyright Law," Miller Nash Graham & Dunn, *IP Law Trends* (Feb. 2021)
- "US Supreme Court Holds That Non-Signatories to Arbitration Agreement Subject to New York Convention Can Compel Arbitration," International Bar Association, Litigation Committee Newsletter, coauthor (Nov. 2020)
- "Miller Nash Prevails at United States Supreme Court," Miller Nash Graham & Dunn, *IP Law Trends* (Jun. 2020)
- "Your Trademark Just Became More Valuable: *Romag Fasteners, Inc. v. Fossil Group, Inc.*," Miller Nash Graham & Dunn, *IP Law Trends* (Apr. 2020)
- "USPTO and Copyright Office Announce Extensions to Deadlines Under the CARES Act," Miller Nash Graham & Dunn, *IP Law Trends* (Apr. 2020)
- "Most Construction is Non-Essential, According to Governor Inslee's Latest Guidance," Miller Nash Graham & Dunn, *From the Ground Up* (Mar. 2020)
- "Washington's "Stay Home, Stay Healthy" Proclamation Lacks Guidance On Construction Projects," Miller Nash Graham & Dunn, *From the Ground Up* (Mar. 2020)
- "Washington Supreme Court: Consumer Protection Act Applies Broadly, Federal Courts Wrong," Miller Nash Graham & Dunn, *The NW Policyholder* (Dec. 2019)
- "I, Robot: PTO Seeks Comments on Protection for AI-Created Works," Miller Nash Graham & Dunn, *IP Law Trends* (Oct. 2019)
- "Your Secrets Are Safe(r) With the Government Now," Miller Nash Graham & Dunn, *IP Law Trends* (June 2019)
- "Supreme Court to Rule Whether Congress Appropriately Abrogated State Sovereign Immunity for Copyright Claims in *Allen v. Cooper*," *IPWatchdog*, quoted (June 2019)
- "Bankers Beware—Trade Secret Misappropriation Can Lead to Lifetime Ban," Miller Nash Graham & Dunn, *Bank Law Monitor* (Mar. 2019)
- "Supreme Court to Take Up Protection of Confidential Information Provided to the Government: *Food Marketing Institute v. Argus Leader Media*," Miller Nash Graham & Dunn, *IP Law Trends* (Jan. 2019)
- "Massachusetts Court Holds DTSA Does Not Apply to the Government," Miller Nash Graham & Dunn, *IP Law Trends* (Oct. 2018)
- "Insurance Coverage for Trade Secrets Claims," Miller Nash Graham & Dunn, *The Northwest Policyholder* (Oct. 2018)
- "Copyright Office Red Cards UEFA Trophy Application," Miller Nash Graham & Dunn, *IP Law Trends* (Oct. 2018)
- "And Then There Was One…Massachusetts Adopts Uniform Trade Secrets Act," Miller Nash Graham & Dunn, *IP Law Trends* (Aug. 2018)

- "The State Can Plunder Your Copyright: *Allen v. Cooper*," Miller Nash Graham & Dunn, *IP Law Trends* (July 2018)
- "Replacement Parts Manufacturer Gets Burned: *Music City Metals Co., Inc. v. Jingchang Cai*," Miller Nash Graham & Dunn, *IP Law Trends* (May 2018)
- "Tenth Circuit Update: Statutory Violations Don't Prove Irreparable Harm and 'Bad Faith' Gives Rise to Misappropriation Claims," American Bar Association, Section of Litigation, *Practice Points* (Dec. 2017)
- "We Built This City on…False Advertising?" Miller Nash Graham & Dunn, *IP Law Trends* (Aug. 2017)
- "Supreme Court Squeezes Patents: *TC Heartland v. Kraft Foods & Impression Products v. Lexmark*," Miller Nash Graham & Dunn, *IP Law Trends* (May 2017)
- "A Light in the Darkness: The 'Small Business Know-Before-You-Bid Construction Transparency Act of 2017,'" Miller Nash Graham & Dunn, *From the Ground Up* (May 2017)
- "It's Not Always Sunny in Philadelphia: *CertainTeed v. BIPV*," Miller Nash Graham & Dunn, *IP Law Trends* (May 2017)
- "Sis Boom Bah? Cheerleading Uniforms and Copyright Protection—Star Athletica Case Decided!" Miller Nash Graham & Dunn, *IP Law Trends* (Mar. 2017)
- "Copyright Office Requiring New DMCA Agent Designation by Year's End," Miller Nash Graham & Dunn, *IP Law Trends* (Jan. 2017)
- "TTAB Continues to Trim Cannabis-Related Marks," Miller Nash Graham & Dunn, *IP Law Trends* (Dec. 2016)
- "Washington Court of Appeals Signals Change in Notice Requirements Under Construction Contracts,'" Miller Nash Graham & Dunn, *From the Ground Up* (Nov. 2016)
- "Precedential TTAB Ruling Vaporizes Marijuana-Related Trademark Registrations," Miller Nash Graham & Dunn, *IP Law Trends* (Nov. 2016)
- "Keeping Secrets—Don't Overdo It," Miller Nash Graham & Dunn, *IP Law Trends* (Oct. 2016)
- "Washington Supreme Court Announces the Death of Contracts: *Donatelli v. D.R. Strong Consulting Engineers, Inc.*," Miller Nash (Nov. 2013)
- "Be Prepared for 'Call Before You Dig' Law Changes," Miller Nash (Apr. 2013)

Presentations

- "Behind the Scenes at the Court of Appeal," Pincus Professional Education, 10th Annual Advanced Appellate Practice Webinar, moderator (Oct. 2025)
- "Arbitrator Ethics," Washington State Bar Association, CLE webcast, panelist (Mar. 2025)
- "First Amendment Issues," Inns of Court, Issues at the Intersection of Intellectual Property and Political Campaigns Program (Nov. 2024)
- "Tips for Handling Non-Competes and Employment Issues in Today's Antitrust Climate," American Bar Association Seminar, moderator (May 2023)
- "The Dos and Don'ts of Public Contracting in 2023—Procurement Processes," Miller Nash, Construction Webinar Series (Feb. 2023)
- "Everything You Wanted to Know about the Metaverse but Were Afraid to Ask: Legal Issues Surrounding Blockchain, NFTs, and Web 3.0," American Bar Association, Litigation Section 2023 Corporate Counsel CLE Seminar, moderator (Feb. 2023)
- "Effectively Using Experts Early in Business Litigation," American Bar Association, Litigation Section Roundtable (May 2021)
- "'Schein'-ing a Light on Circuit Splits—Non-Signatories, Delegation, and the Coming Battle Over Arbitration Discovery," CIArb, webinar (Sept. 2020)
- "Payment Clauses: What to Watch For and How to Negotiate Them," American Subcontractors Association (Jan. 2020)
- "Prompt Payment Clauses: What to Watch For and How to Negotiate," American Subcontractors Association (Oct. 2019)

- "Using Drones: What Subcontractors Need to Know," American Subcontractors Association (Oct. 2017)
- "The Seven Habits of Highly Effective Clients," American Subcontractors Association, 2017 SUBExcel Conference (Mar. 2017)
- "The Seven Habits of Highly Effective Clients," American Subcontractors Association, 2016 SUBExcel Conference (Mar. 2016)
- "London Calling," British American Business Council, moderator (Feb. 2012)
- "Fundamentals of Construction Contracts," American Bar Association, Forum Committee on the Construction Industry (Nov. 2012)
- "Copying the Hard Drive on the Way Out: The Employer Strikes Back Against Employee Disloyalty," Miller Nash Graham & Dunn, Employment Law Seminar (Oct. 2015)
- "Emerging Legal Issues in Mobile Communications," MobileNorthwest 2011 Conference (May 2011)
- "How to Make Friends and Infringe Works: Copyright and Social Media," Third Annual Inland Empire Intellectual Property Institute (Oct. 2012)

Recognition & Honors

- Selected for inclusion in *The Best Lawyers in America*® (Seattle, WA)
  - Litigation— Construction 2026-present
  - Advertising Law, 2025
  - Litigation—Intellectual Property, 2021-present
- Selected for inclusion as a Washington Super Lawyer, 2014-present
  - Top 100 Washington Super Lawyers, 2017-2020, 2022
- Named a "Washington Litigation Star" by *Benchmark Litigation*, 2018-present
- Rated AV® Preeminent™ by Martindale-Hubbell®
- Litigation Counsel of America, Fellow