

Craig D. Bachman

Shareholder
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Areas of Practice

Craig Bachman has been a lawyer since 1978 representing clients in all phases of business and commercial litigation with emphasis in intellectual property, antitrust, trade regulation, insurance practices and professional malpractice.

Craig works as a trial lawyer and counsel principally focused in competition matters (trade regulation and antitrust) and intellectual property (trademark, copyright, patent, moral rights and trade secrets). He also acts as counsel with a focus in marketing, business and brand development, and technology development.

Craig has taken major antitrust cases and cases in each of the four classic areas of intellectual property (patent, trademark, copyright and trade secret) to trial, judgment and appeal, including patent appeals in the Federal Circuit. He has worked with startups and well established companies to develop and implement market strategies, including branding, pricing, distribution and IP portfolio management.

Admitted to Practice

Oregon
Washington
Idaho
U.S. District Court, District of Oregon
U.S. District Court, Eastern District of Washington
U.S. District Court, Western District of Washington
U.S. District Court, Eastern District of Michigan
Ninth Circuit Court of Appeals
Third Circuit Court of Appeals
U.S. Court of Appeals for the Federal Circuit

Academics

Lewis and Clark College Northwestern School of Law (J.D., 1978)
University of Oregon Medical School (1973-1974)
Portland State University (B.S., 1972)

Practice Group and Specialty Team Memberships

Intellectual Property and Technology
Antitrust and Trade Regulation
Director and Officer Liability
Insurance
Litigation
Professional Liability
White Collar Criminal Defense, Regulatory Compliance and Special Investigations

Representative Matters and Clients

Lewis v. Chiles, et al.: Counsel for directors of Fred Meyer, Inc. in shareholders derivative suit alleging director and insider misconduct, settled after court ruled plaintiff lacked standing and denied motion for class certification

Ahern v. Gaussion, et al.: Counsel for issuer's attorneys in suit claiming securities violations and professional malpractice

RFD Publications v. Oregonian Publishing Co.: Counsel for defendant in suit claiming predatory pricing in violation of the Sherman Antitrust Act, successfully concluded with jury verdict for defendant

Successfully represented national brokerage firm and its employee in eleven related cases claiming securities violations

Successfully represented bank directors against claims by the FDIC following closure of a regional bank

Successfully represented numerous clients in patent litigation involving mechanical, electronic, aeronautic and design patent claims as well as copyright, trade secret and trade dress claims

Successfully represented major manufacturers in connection with several U.S. Department of Justice international price fixing investigations including proceedings in Europe, Canada, Japan, England, Brazil, Australia and Korea

Lead teams defending direct and indirect purchaser in antitrust class actions and opt-out litigation following government investigations in graphite electrodes, fine carbon, wire harness, industrial and automotive bearings, and other products

Successfully represented aluminum companies as plaintiffs in claims for price-fixing against manufacturers of cathode block

Successfully represented numerous clients in connection with market conduct investigations on a national and state level in Washington and Oregon

Publications

"FCC Chair to Put AT&T/T-Mobile Merger on the Grill," *E-Commerce Times*, Quoted (November 23, 2011)

"U.S. Software: Culture Clash," *Managing Intellectual Property, Americas IP Focus*, Third Edition, Co-author (2007)

"Knowing IP Ground Rules: Unlocking a Portfolio's Value," *Portland Business Journal* (April 6, 2007)

ABA Section of Antitrust Law, State Antitrust Practice and Statutes, Washington and Oregon chapters, Third Edition (2004)

"Abuse of the Dominance in Relation to Intellectual Property," Oregon State Bar, Antitrust Section (2001)

"Section One of the Sherman Act," Oregon State Bar, Antitrust Section (1999)

"Product Configuration Trade Dress, Patent and the Public Domain: A Delicate Balance," Oregon Law Institute (1999)

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- “Solving Antitrust Issues in Advance: Dealing with the FTC and the Department of Justice,” Washington State Bar (1991)
- “Per Se Issues,” ABA Conference on Antitrust Issues in Health Care, Washington, D.C. (1990)
- “Antitrust Issues in Health Care,” (Co-chairman) ABA Antitrust Section, Forum Committee on Health Law (1988)
- “Antitrust and Competition in the Marketplace; Antitrust Challenges From The Practitioner,” ABA Forum Committee on Health Law (1987)
- “Antitrust Aspects of Peer Review and Hospital Staff Issues,” American Bar Association Forum Committee on Health Law (1986)
- “Structure of Neurotoxins of *Karwinskia Humboltiana*,” *Journal of Organic Chemistry* (1975)
- “Some Transformations of 5-Thioribosyluracil and Analogs,” *Journal of Heterocyclic Chemistry* (1975)

Speaking Engagements

- “Social Media: Seizing the Opportunities, Managing the Risks,” Oregon State Bar Corporate Counsel Section CLE (May 20, 2010)
- “Neuroscience, Negotiation and Persuasion,” American Bar Association Alternative Dispute Resolution Section Conference (April 8, 2010)
- “What are the Legal Risks?” The Institute of Internal Auditors (“IIA”) Social Media and Risk Management Conference (November 2009)
- “Patents, Trademarks, Brand Protection and Unfair Competition,” National Business Institute, Intellectual Property Law Update (2008)
- “Persuasion in Negotiation,” Oregon Law Institute, Supercharge Your Negotiation Skills (2008)
- “Persuading the Factfinder,” Colloquium at Willamette University Law School (2008)
- “Antitrust Issues in a Patent Context,” Oregon State Bar, Antitrust and Intellectual Property Sections (2006)
- ABA Section of Antitrust Law, Spring Meeting, Demonstration Trial Counsel (2006)
- “Sarbanes Oxley and the Management of Intellectual Property Assets,” Law Seminars International (2006)
- “Recent International Antitrust Enforcement,” Oregon State Bar, Antitrust Section (2002)
- “Smokestack Antitrust in the Information Age,” Oregon State Bar, Antitrust Section (1998)
- “Antitrust Laws and Fair Competition in Real Estate,” Northwest Real Estate Conference (1997)
- “Insurance Issues and Business Torts,” Oregon State Bar Business Litigation Section (1996)
- “Antitrust and Trade Regulation: Effect of Recent Changes on Licensing and Distribution,” 11th Annual Pacific Rim Computer Law Institute; Washington, Oregon and British Columbia Bar Associations (1994)

“Handling Expert Witnesses in Federal Court,” Oregon State Bar CLE (1990)

“Direct and Cross Examination of Economists,” Washington State Bar (1987)

“Accountant’s Negligence, Insurance Coverage Issues,” Oregon Society of Certified Public Accountants (1985)

“Racketeer Influenced and Corrupt Organizations Litigation,” Oregon Law Institute (1985)

“A Framework for Thinking About RICO,” American College of Trial Lawyers (1984)

“Antitrust Issues in Joint Research and Development Efforts,” Lewis and Clark College/Oregon State Bar (1985)

“Vertical Price Restraints,” Oregon State Bar Antitrust Section (1983)

Awards and Honors

Peer Review Rated “AV” in Martindale-Hubbell

Named as one of *The Best Lawyers in America*®, Antitrust Litigation, Commercial Litigation, Intellectual Property, Intellectual Property Litigation (2002-2012)

Named as an “Oregon Super Lawyer,” *Super Lawyers* magazine, Intellectual Property Litigation (2007-2011)

Multnomah Bar Association Pro Bono Honor Roll, 2007

Selected “Local Litigation Star” by *Benchmark Litigation*, Antitrust and Insurance (2012)

Professional and Community Activities

Member, Multnomah Bar Association

American Bar Association, Antitrust section

American Intellectual Property Law Association

Past President, Oregon State Bar Antitrust Section

Past Chairman, Japan America Society of Oregon

Director, Bicycle Transportation Alliance