

Kenneth R. Davis II

Shareholder
davisk@lanepowell.com
503.778.2121



Areas of Practice

Ken Davis specializes in complex commercial litigation, concentrating on intellectual property litigation, including Internet, copyright, patent, trademark and trade secret, and antitrust.

Professional Experience

Ken has tried a number of cases as lead counsel in both state and federal courts and has argued before the Washington State Supreme Court. His experience includes representation of major software and Internet companies in intellectual property disputes.

Admitted to Practice

Oregon
Washington
U.S. District Court, District of Oregon
U.S. District Court, Western District of Washington
U.S. District Court, Eastern District of Washington
Third Circuit Court of Appeals
Ninth Circuit Court of Appeals

Academics

University of Puget Sound School of Law (J.D., *cum laude*, 1992)
Whitman College (B.A., Spanish, 1989)

Practice Group and Specialty Team Memberships

Chair, Intellectual Property and Technology
Antitrust and Trade Regulation
Apparel and Footwear
Education
Litigation
Retail

Representative Matters and Clients

Tried several cases and injunction hearings as first chair in Oregon and Washington state and federal courts, including five trials and arbitrations since 2010

Plaintiffed complex trade secrets/technology case which resulted in a \$42 million jury verdict

Successfully represented a number of shoe manufacturers and sellers in trademark litigation brought by a major footwear manufacturer with respect to the right to use stripes as a design element on footwear

Successfully represented several clients in various patent litigations, including computer and mechanical related patents

Successfully defended and plaintiffed several claims involving complex trademark and tradenames issues

Successfully defended copyright actions with respect to literary, graphic and computer software works

Represented prevailing party in several Internet domain name disputes

Successfully represented major Japanese corporation in connection with U.S. Department of Justice International price fixing investigation and a multitude of civil lawsuits filed under the Sherman Act

Successfully represented aluminum companies as plaintiffs in claims arising out of Sherman Act as a result of an international price fixing

Publications

“Beware of Liability Tripwires When Designing a Website,” *Portland Business Journal* (September 26, 2008)

Oregon State Computer State Law Deskbook, upcoming edition, Co-editor

Contract Law in Oregon, Oregon State Bar publication, Chapter 1

Oregon Statutory Time Limitations, Contributing Author

“The Argument for Broader Protection Against Employer Drug Testing,” *University of Puget Sound Law Review* (Spring 1993)

Speaking Engagements

Ken is a regular speaker on all topics relating to intellectual property and Internet law.

Awards and Honors

Peer Review Rated “AV” in Martindale-Hubbell

Named one of *The Best Lawyers in America*®, Intellectual Property Litigation (2012)

Named as “Oregon Super Lawyer,” *Super Lawyers* magazine, Intellectual Property Litigation (2009-2011)

Recommended for his copyright litigation expertise by *The Legal 500 (United States): Volume II (Intellectual Property, Technology, Media & Telecoms)* and *The Legal 500 (United States): Volume III (Litigation)* (2007)

Multnomah Bar Association Pro Bono Honor Roll (2005, 2008)

Professional and Community Activities

Member, Multnomah Bar Association

Member, International Trademark Association in various litigation committees

Oregon State Bar Association

Past Chair

Member, Antitrust Section

Member, Computer and Internet Law Section

Washington State Bar Association

American Bar Association

Member, Intellectual Property and Antitrust Sections

Member, Federal Trial Practice and Procedure Committee of the American Bar Association

Intellectual Property Law Section

Executive Committee and Board member, Classroom Law Project

Executive Committee, Eastmoreland Community Garden

Languages

Spanish