



## Yuri Mikulka

Partner

+1 213 576 1026 | yuri.mikulka@alston.com

**Los Angeles** | 350 South Grand Avenue, 51st Floor | Los Angeles, CA 90071

**Silicon Valley** | 755 Page Mill Road, Building C - Suite 200 | Palo Alto, CA 94304

### *Related Services*

Intellectual Property ■ Intellectual Property Litigation ■ Trademark & Copyright ■ ITC Section 337 ■ Trade Secrets ■ Patent Litigation

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Yuri Mikulka spearheads the firm's Consumer Technology Patent Litigation Team. For over 25 years, she has practiced litigation nationwide, focusing on patent, trademark, trade secret, and false advertisement cases involving diverse areas of technology including consumer technology and medical devices.

Yuri's experience is widely acknowledged, with the *Daily Journal* recognizing her as one of California's top intellectual property lawyers and her defense of a global company in a multibillion-dollar exposure case, which was selected as one of their "Top Defense Verdicts." The *Los Angeles Business Journal* has honored her as among the 500 most influential leaders in LA for the past six years. The *Los Angeles Times* has hailed her as a "legal visionary," and she has been selected by the *Intellectual Asset Management's* "IAM Strategy 300: The World's Leading IP Strategists."

Yuri's influence extends beyond her legal practice. For over 20 years, Yuri has served in key leadership positions, including as the president of the Federal Bar Association, LA Chapter, and as a member of ABA's Standing Committee on the Federal Judiciary, which evaluates federal judicial candidates nominated by the President. She has co-founded Carry As You Climb, a women's leadership group for executives and in-house counsel. She has served as a visiting lecturer for UCI Samueli School of Engineering and the University of Chicago Law School.

### *Representative Experience*

- Represented medical technology company MicroVention, Inc. in a trade secret misappropriation and a patent infringement case asserted against a competitor and former employees related to patents and technology regarding catheter and coil systems used to treat aneurysms. Secured a consent judgment and permanent injunction and settlement. *MicroVention, Inc. v. Balt, Inc. et al.*, No. 8:20-cv-02400-JLS-KES & 19-cv-01335 (C.D. Cal.).
- Led and prevailed in the defense of a trade secret misappropriation action and a parallel patent infringement action on behalf of a global hearing aid manufacturer regarding Bluetooth and cloud-based telehealth hearing-aid fitting technology. Secured a motion for summary judgment that addressed the perils of seeking trade secret protection while simultaneously seeking patent and copyright protection and the importance of crafting effective NDA terms. *Manchester v. Sivantos GMBH*, No.: 2:17-CV-05309 (C.D. Cal.).
- First-chaired and secured a jury verdict of willful patent infringement and copyright infringement against a client's competitor selling an infringing water scooter. *Hydrodynamic Indus. Co. v. Green Max Distribs., Inc.*, No. 2:12-cv-05058 (C.D. Cal.).

- Defended Corning Inc. in a series of patent infringement cases involving optical communications solutions for 5G networks and data centers involving distributed antenna systems (DAS). Prevailed on a motion to dismiss and a motion for summary judgment on noninfringement on all three patents in *Dali Wireless, Inc. v. Corning Optical Communications LLC*, No. 3:20-cv-06469 (N.D.Cal.). The case was highlighted in the November 29, 2022 Docket Navigator report and in the Daily Journal as one of the “Top Defense Verdicts” in California. See also *Dali Networks, Inc. et al. v. Corning Incorporated et al.*, No. 6:20-cv-01108 (WDTX); *Dali Wireless, Inc. v. Corning Optical Communications LLC*, Case 3:22-cv-623 (WDNC).
- Defended Meta in a patent infringement case related to the use of cookies in online advertising. Prevailed on a motion to dismiss in favor of Meta. *Adnexus, Inc. v. Meta Platforms, Inc.*, No. 6:23-cv-00152 (W.D. Tex.).
- Represented Instagram (Meta) in a patent infringement action related to the mobile app technology and improving user experience. *Savannah Licensing, LLC v. Instagram, LLC*, No. 1:22-cv-00139-CFC (D. Del.).
- Led the defense of a patent infringement action directed to a personal flotation device. Obtained a favorable order on claim construction and on a motion to exclude a design patent expert, which led to a noninfringement judgment. *Sport Dimension, Inc. v. Coleman Co.*, No. CV 14-00438 (C.D. Cal.).
- Obtained a temporary restraining order and preliminary injunction on behalf of a health care administrative company to prevent former officers and competitors from misappropriating trade secrets, falsely advertising, unfairly competing and diverting customers and employees. Led the litigation and related internal investigation. *Audiology Distribution LLC et al v. Peter Stephens, et al.*, No. 8:20-cv-00499 (M.D. Fla.).
- Defended Hublot and LVMH in a trademark lawsuit over use of the term “red gold” against SOLID 21, in a highly publicized case after a Ninth Circuit appeal. *SOLID 21, Inc. v. Hublot of America, Louis Vuitton Moet Hennessy Inc.*, No.2:11-cv-00468 (C.D. Cal.).
- Represented Ulta Beauty in a patent infringement case related to mobile application technology that allows for push notifications to users. *Push Data LLC v. Ulta Beauty, Inc.*, No. 2:22-cv-06586 (C.D. Cal.).
- Represented Ulta Beauty in a patent infringement directed to a server system and method for modifying a cursor image. *Lexos Media IP, LLC v. Ulta Beauty, Inc.*, No. 2:22-cv-00292 (E.D. Tex.).
- Representing DIRECTV in a patent infringement action regarding 12 patents allegedly covering the Multimedia over Coax Alliance standard (MoCA), international standards for specifications for networking over coaxial cable.
- Representing US Conec in a multi-patent infringement case in Delaware and a Section 337 investigation involving patents directed to very small form factor (VSFF) fiber-optic connectors, adapter and connection systems used in data centers. *Senko Advanced Components, Inc. v. US Conec, Ltd.*, 1:23-cv-00083-JPM (D. Del.).
- Represented PayPal in a patent infringement case regarding patents relating to caching or a method of data storage for faster retrieval. *Implicit, LLC v. PayPal Holdings, Inc. et al.*, No. 6:22-cv-00686 (W.D. Tex.).
- Represented Honeywell in a Section 337 investigation involving patent infringement by a competitor of patents directed to barcode scanner technology that ultimately resulted in a settlement. *Certain Barcode Scanners, Scan Engines, Products Containing the Same, and Components Thereof*, Inv. No. 337-TA-1165.
- Represented a radiant floor heating system company in a false advertisement action against a competitor. *Warmboard, Inc. v. Warm Brothers, Inc. et al.*, No. 5:23-cv-01378-PCP (N.D. Cal.).

- Obtained dismissals of two securities class actions filed against client Pingtan, a global fishing company. The Second Circuit affirmed the dismissal order, dismissing the federal securities law claims against Pingtan and its officers related to statements regarding the status of the Company's business and licenses. *Zheng v. Pingtan Marine Enterprise Ltd. et al.*, No. 1:17-cv-03807-DLI-ST (E.D.N.Y.).
- Prevailed in an appeal before the Ninth Circuit Court of Appeals regarding the issue of what is proper service of summons.

## **Publications & Presentations**

### **News Items**

- *Daily Journal* | New Federal Bar President in LA Seeks More Use of Magistrate Judges | October 19, 2021

Yuri Mikulka is profiled as the new president of the Federal Bar Association of Los Angeles, the first Asian woman to hold this role since the association's founding in 1954.

### **Publications**

- "Judicial Insights into Patent Litigation in the Central District of California," *FBA Lawyer*, Federal Bar Association Los Angeles Chapter, Vol. 13, No. 1, Summer 2023.
- "GDPR and Overcoming Challenges to Obtaining Digital Discovery from European Entities," *Litigation Journal*, American Bar Association Section of Litigation, Spring 2018.
- "Can Trademark Laws Dictate What Is Disparaging?" *Litigation Journal*, American Bar Association Section of Litigation, Winter 2017.
- "How Foreign Companies' Online Activities Can Increase Exposure to U.S. Litigation," *Litigation Journal*, American Bar Association Section of Litigation, Summer 2017.
- "The Rise of Design Patents," *Litigation Journal*, American Bar Association Section of Litigation, Summer 2016.

### **Presentations**

- "Judicial Insights on Patent Litigation in the Central District of California," Los Angeles Federal Bar Association, webinar, January 31, 2023.
- "Top Ten Reasons to Consent to Trial Before a Magistrate Judge," Federal Bar Association LA Chapter, webinar, March 22, 2022.
- "Vanishing Women Litigators: Challenges Faced by Women Litigators and Strategies for Disrupting the Status Quo As We Emerge from the Pandemic," Federal Bar Association LA Chapter, webinar, June 2, 2021.

## **Professional & Community Engagement**

- Federal Bar Association, Los Angeles Chapter, board member; past president
- American Bar Association, Section of Litigation, division director; former council member
- American Bar Association, Special Advisor, Commission on Women in the Profession
- Carry As You Climb, co-founder
- ChiPs, Special Advisor, Los Angeles Chapter
- American Bar Association, Standing Committee on the Federal Judiciary, former Ninth Circuit Representative and Committee member

- American Bar Association, Litigation Journal, former editorial board member
- American Bar Association, Committee on Corporate Counsel, former national co-chair

## ***Court Admissions***

- U.S. District Courts for the Central, Northern, Eastern, and Southern Districts of California
- U.S. District Court for Western District of Texas
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Federal Circuit
- Pro hac vice to the U.S. District Courts for the Eastern and Southern Districts of New York, Eastern and Northern District of Texas, and Eastern District of Pennsylvania, and district courts in Florida, Illinois, and Massachusetts, Southern District of Florida

## ***Education***

- Pepperdine University (J.D.)
- University of California, Irvine (B.A.)

## ***Admitted to Practice***

- California