



## Ari B. Lukoff

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### Practice Areas

- Intellectual Property and Technology Litigation
- License Disputes
- Patent Litigation
- Patent Office Trials
- Privacy and Cybersecurity Litigation
- Trade Secret

### Education

- Marquette University Law School, J.D., *magna cum laude* (2009); Marquette Law Review, Associate Editor (2008-2009), Member (2007-2008)
- University of Wisconsin at Madison, B.S. in Chemical Engineering (2002)

### Bar Admissions

- Minnesota
- U.S. District Court, Minnesota
- U.S. District Court, Eastern District of Wisconsin
- U.S. Patent and Trademark Office

### Experience

Ari Lukoff is a trial lawyer who clients turn to for his analytical mind and experience in technology-driven cases. He has experience litigating a broad array of complex business and intellectual property disputes involving copyrights, patents, trade secrets, contracts, privacy rights, and IP licenses. He has experience reviewing and auditing company policies and agreements as part of initiatives to ensure adequate protection of company trade secrets, IP rights, and data. Mr. Lukoff has advised companies prospectively on developing company privacy policies, and on their response to cybersecurity attacks. A registered patent attorney, he is regularly involved in patent office trials.

Mr. Lukoff has practiced in state and federal courts throughout the country, including state courts of Minnesota, Wisconsin, and New Mexico, and federal courts in Arizona, California, Delaware, Florida, Illinois, New Mexico, Minnesota, North Carolina, and Washington. Prior to joining Robins Kaplan, Mr. Lukoff was an intellectual property attorney at another law firm. During law school he was a judicial intern for the Honorable Diane S. Sykes of the United States Court of Appeals for the Seventh Circuit.

### Selected Case Results\*

#### Selected Patent Infringement Experience

Mr. Lukoff has litigated cases in a wide variety of technologies, including medical devices and surgical techniques, chemical processes, laboratory instrumentation, pharmaceuticals, computer systems and software, consumer products, and mechanical devices, among others. His broad technical background, built on an education in chemical engineering and experience as a process and product development engineer, allows him to understand technology early in the case.

Mr. Lukoff has experience navigating complex issues that commonly arise in high-technology cases, and particularly cases involving software, such as negotiations over protective orders, source code reviews, and work with experts. Representative cases include:

- Litigation counsel for a software and services company in a patent infringement lawsuit. Mr. Lukoff negotiated several complex discovery issues, including third-party discovery of source code and negotiation of a special protective order. The case settled favorably for our client after claim construction. (Prior to joining Robins Kaplan LLP.)
- Litigation counsel for a payment provider in a patent infringement case that involved a source code review. Settled the case on favorable terms for client prior to claim construction. (Prior to joining Robins Kaplan LLP.)
- Litigation counsel for a medical device manufacturer asserting a surgical method patent against a startup competitor. Our client obtained a trial victory and permanent injunction. (Prior to joining Robins Kaplan LLP.)
- Litigation counsel for an international chemical company in a case involving a chemical process patent.
- Litigation counsel for an international seed company who became involved in a patent infringement case as a third-party. We successfully limited the subpoena and obtained a stay in the underlying case for our client. (Prior to joining Robins Kaplan LLP.)

#### Selected IP Licensing Experience

Mr. Lukoff has experience analyzing and litigating patent, copyright, and trade secret licenses and advising clients on how to structure licenses prior to litigation and how to utilize licenses during litigation to achieve strategic aims. Representative matters include:

- Trial counsel for Megdal Associates in an IP licensing dispute between Megdal Associates and La-Z-Boy Incorporated. After a four-week trial, a jury in Fort Lauderdale, Florida awarded our client \$5.7 million plus ongoing royalties.
- Advised an international seed company regarding how to structure its corporation and hold its IP assets prior to litigation. (Prior to joining Robins Kaplan LLP.)

#### Selected Trade Secrets Experience

Mr. Lukoff has specific experience litigating trade secret matters involving technology. Representative cases include:

- Litigation counsel for a manufacturer of consumer goods in a misappropriation of trade secret case against its former contract manufacturer. The case settled favorably for our client after defeating the defendant's summary judgment motion. (Prior to joining Robins Kaplan LLP.)
- Performed an audit of the trade secret protection program of a large, international pharmaceutical company. Identified the company's trade secrets relating to several products and advised the company on how to strengthen its trade secret protection program.

#### Selected Privacy and Cybersecurity Experience

Mr. Lukoff has advised clients on company policies and responses to cybersecurity breaches, including the impact of state cybersecurity breach statutes, FTC privacy actions, COPPA, and the Electronic Communications Privacy Act.

- Advised a company on response to a cybersecurity attack that involved overlapping issues of state and federal law, and civil and criminal aspects.
- Analyzed existing company privacy policies and recommended additions and changes to existing policies based on relevant state and federal privacy statutes and administrative actions.

Past results are reported to provide the reader with an indication of the type of litigation we practice. They do not and should not be construed to create an expectation of result in any other case, as all cases are dependent upon their own unique fact situation and applicable law.

#### **Community Service**

- Represents clients in immigration proceedings with the Immigration Law Center of Minnesota
- Represents clients in family law matters through the Volunteer Lawyers Network

## Resources

### Articles

- Inevitable Disclosure and the DTSA  
*Intellectual Property Magazine (April 2017)*
- Protecting Trade Secrets with an Effective Need-to-Know Policy  
*Corporate Counsel (December 16, 2016)*
- Death by a Thousand Cuts: The Slow Erosion of the Right to Trial by Jury in Patent Cases  
*The Sedona Conference Journal, Vol. 17 (Fall 2016)*
- The Looming Intellectual Property Battle Over the Internet of Things  
*LegalTech News (June 2, 2016)*
- President Obama Signs Defense of Trade Secrets Act; What You Should Do Now  
*Robins Kaplan LLP (May 11, 2016)*
- Make Sure You Own the Patent You Think You Do  
*(December 16, 2014)*

### Books

- **The IP Book**  
*The Law of Patent Damages, Minnesota CLE (2014)*
- **The IP Book**  
*The Law of Patent Damages, Minnesota CLE (2013)*
- **The IP Book**  
*The Law of Patent Damages, Minnesota CLE (2011)*

### News

- Robins Kaplan LLP Files Lawsuit to Protect Iconic Minnesota Wilderness Area
- Robins Kaplan LLP Recognized as One of Immigrant Law Center of Minnesota's 2018 Pro Bono Partners of the Year
- Robins Kaplan LLP's \$5.7 Million Trial Victory for Inventor Over La-Z-Boy Validated by Court Ruling
- Robins Kaplan LLP Successfully Urges Halt to "Rods and Stones" Event at Roselawn Cemetery

### Speeches

- Protecting Digital Property Innovation  
*Webinar, Minnesota CLE (October 9, 2017)*
- Mitigating Risks That Come With Using Advanced Technologies  
*PRSM Association (September 14, 2017)*
- Drafting IP Employment Agreements for Litigation  
*Minnesota CLE, Minneapolis, Minnesota (2012)*
- Introduction to Patent Litigation  
*LawReview CLE (2011)*