

# David J. Miclean

## Founder and Partner

With more than 30 years of experience and upwards of 60 trials and arbitrations in jurisdictions throughout the country, Dave is a veteran trial lawyer and litigator. He focuses on intellectual property and business litigation, and has practiced in large, national firms for the majority of his career. Armed with intense “big law” training – in both litigation process management and service delivery, Dave spun off to launch Miclean Gleason as a boutique with a difference – “a notch above.” From pre-litigation resolution and business workouts, through trials and appeals, Dave has the right combination of knowledge and skills to resolve problems at any juncture.

Dave values law as a profession and believes attorneys should zealously advocate for their clients without becoming part of the problem. This means upholding high ethical standards (that are not sacrificed in response to less scrupulous tactics by the other side); maintaining the highest quality in the firm’s work product (particularly since many court decisions are predicated on the craftsmanship and persuasiveness of the paperwork presented); and client service excellence (because every matter Miclean Gleason handles is an opportunity to get to know the client’s business, build a relationship and deliver on the client’s goals and objectives).

Applying his courtroom experience, resolution skills, exposure to multiple technologies and managerial understanding, Dave helps his clients resolve problems in creative and innovative ways – and he’s tenacious in doing so. Working collaboratively with clients, Dave is hyper-responsive, appreciating that timely texts, emails and calls are critical. Always employing a practical approach to handling legal disputes, clients have come to trust Dave’s judgment, even

when it's not necessarily what they want to hear, and in those cases, he can be counted on to provide both options and recommendations.

Beyond his litigation practice, Dave often maintains long-term relationships with clients, advising on the full range of strategic and business issues. He also works with corporate boards, C-level executives, business decision-makers and individuals to resolve issues before they become lawsuits. With both his personal roots and a legal career grounded in the heart of Silicon Valley, Dave understands the gravity and value of protecting intellectual property rights and the business issues companies and individuals in the region face.

## **PRACTICE AREAS**

- Intellectual Property Litigation and Consulting, including trade secrets, trademark, patent, and copyright
- Technology Law, including invention disputes and intangible rights (rights of publicity, privacy, etc.)
- Business Litigation and Counseling, including contracts, partnership disputes and break-ups, and employee mobility considerations (NDAs, non-compete and non-solicitation contracts)

## **MEMBERSHIPS AND AFFILIATIONS**

- San Francisco Bay Area Intellectual Property Inn of Court
- San Mateo County Bar Association

## **OTHER DISTINCTIONS**

- Jurisprudence Awards for Professional Responsibility (Legal Ethics) and Labor Law.
- AV® rating from Martindale Hubbell® Peer Review Rating™ *An objective indicator of the highest ethical standards and professional ability, an AV certification mark is the highest rating accomplishment and a testament among a lawyer's peers.* ([www.martindale.com](http://www.martindale.com))
- Acknowledged as a Northern California Superlawyer in Intellectual Property Litigation for over 10 years. *Lawyers who have attained high peer recognition,*

*meet ethical standards and have demonstrated some degree of achievement in their field. ([www.superlawyers.com](http://www.superlawyers.com))*

## **EDUCATION**

- University of California, Los Angeles, B.A. Political Science
- Loyola Law School, J.D.

## **BAR ADMISSIONS**

- California
- Federal courts in the Northern, Eastern, Central, and Southern Districts of California
- Court of Appeals for the Ninth Circuit
- US Court of Appeals for the Federal Circuit
- Supreme Court of the United States

## **CONNECTING WITH DAVE**

### ***Intro to tech?***

- I was the first of my lawyer friends to get a RIM Blackberry and Motorola car phone (so cool) in the 90s. Chip design and fabrication still fascinate me – especially the more complex they get.

### ***Favorite app?***

- My phone is a GPS – got to be Google Maps.

### ***Offline?***

- I enjoy skiing, hiking, biking and watersports in Tahoe, reading (historical fiction and biographies), studying the American Civil War, taking in musical theater, being a dad, movies, dogs, and enjoying time with my family.