



PHILIP H. LAM
Deputy City Attorney
City of Los Angeles

Phil Lam serves as the first Intellectual Property Counsel for the City of Los Angeles. In founding the first governmental intellectual property (“IP”) law practice in North America, he developed the City’s IP Asset Management program and IP licensing practice. He provides full counseling, transaction and litigation services related to patent, copyright, trademark, entertainment, computer, privacy, and Internet laws; as well as major-asset acquisitions and incubator parks. In addition, Phil specializes in civil recovery from antitrust class action and unfair competition litigation.

Phil has litigated against and negotiated deals with top-flight firms as well as Fortune 100 corporations with admirable results for his clients. His professional work has been featured by the press and recognized with various awards. Phil is a published author on intellectual property law and negotiation skills.

He has been active in *pro bono* services in various communities since before law school studies. He has also been elected to serve in leadership positions with various bar and civic associations.

Academically, he is a staunch advocate of IP law, having co-founded IP programs at area law schools in Southern California, including the USC IP Law Institute. He is a frequent speaker to national and international conferences as well as government-sponsored seminars, including the training of foreign judges and ministry of justice attorneys for the USPTO and the U.S. State Department.

Phil graduated with honors from Loyola Law School, Los Angeles-Evening Program (JD 1994) and with distinctions from the University of Illinois (Master of Science 1984 & Bachelor of Science 1983 in Engineering). Before becoming an attorney, he was an engineering manager at top-tier corporations in the energy and aviation industries.

>>>> ***Detailed Professional Biographic Below*** <<<<<



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LEGAL EXPERIENCE

CITY ATTORNEY'S OFFICE, LOS ANGELES, CALIFORNIA

6/93-PRESENT

► Intellectual Property Counsel

8/02 to Present

As the Office's Intellectual Property Counsel, established the first comprehensive intellectual property law practice among major North American municipalities. Manage all intellectual property, entertainment and IP-related transactions and litigation for the Office, including certain antitrust and unfair competition litigation. Successfully established the City of Los Angeles as the national leader in building intangible assets (IP portfolios of patents, copyright and trademarks) and in minimizing its IP-related liabilities. Noteworthy work includes:

Counseling:

- Advise City officials, and executives and commissioners on IP-related press inquiries, policies, legislation and governance issues.
- Structure business transactions to maximize City's IP licensing income potentials and minimize its IP infringement liabilities.

Entrepreneurial Transactions:

- Created an IP Asset Management program to continually license City-owned patents, trademarks and copyright-protected content and software to the other government entities, and the gaming, entertainment, publishing and telecommunications industries, resulting in a stream of licensing royalty incomes.
- Register major City-owned copyrightable software and trademarks, such as "LAX®," "Griffith Observatory®," "Los Angeles Marathon®," LAPD, and LAFD marks.
- Specialize in complex technology development contracts, incubator parks, renewable energy acquisition and plant purchases, major-asset transfers, football stadium development, IP issues under federal grants, and cross-disciplinary issues between IP, public disclosure and state labor laws.

Litigation Matters:

- Developed and prosecuted a federal class action antitrust lawsuit against Microsoft Corporation, recovering for governmental entities in California a \$70M class settlement, plus costs and attorneys' fees.
- Co-counsel with the California Attorney General's Office in prosecuting two independent antitrust actions against a group of international and U.S. computer memory chip manufacturers (DRAM) and monitor manufacturers for price fixing.
- Counsel on the VISA/MC transaction fees as well as the LCD monitor price-fixing antitrust settlements.
- Creatively use civil trademark laws to enhance public safety by drastically reducing online sales of counterfeit LAPD and LAFD badges, nationwide and internationally.
- Successfully defended City against trademark, copyright and multi-million dollar patent infringement claims in federal courts and the U.S. Patent and Trademark Office, including high-exposure patent troll claims.

- Directed litigation before the U.S. Trademark Trial and Appeal Board regarding the right to register the “*Official Los Angeles Marathon*” logo and trade name, securing City’s ownership in the marathon and annual licensing incomes.
- Successfully enforced client’s trademarks and copyright-protected materials against local and international companies including Anheuser Busch and Samsung.

▶ **General Counsel & Cable TV Counsel,**

City of Los Angeles Information Technology Agency 5/03 to 5/04

Served as General Counsel to the Board of Information Technology Commissioners and the Information Technology Agency, advising on computer technology, telecommunications, and cable television regulatory and franchise renewal issues. Advised on open-meeting, public records, ethics and anti-corruption laws. Drafted franchise, telecommunications-related and government broadcast ordinances. Supervised telecommunications litigation before federal courts and the FCC. Noteworthy accomplishments include:

- Drafted regulatory legislation rolling back consumer cable TV rates charged by the criminally indicted Adelphia Communications.
- Provided in-depth advice on compliance with the federal *Voting Rights Act of 1965* by the City-owned television station and City’s election officials.

▶ **Litigation & Energy Deregulation Counsel,**

Los Angeles Department of Water and Power (“LADWP”) 11/97 to 8/02

Served as an in-house electricity deregulation attorney and then as a business litigator for LADWP. For three years, represented LADWP monthly before the Federal Energy Regulatory Commission, Washington, D.C. (FERC) on high-volume, multi-party electricity-deregulation dockets. Noteworthy cases include:

- Successfully negotiated with Fortune 100 energy companies on tens of FERC cases, settling hundreds of millions of dollars of rights in the California electricity grid, interstate transmission, and Western States power generation.
- Legally positioned the City against rolling black-out’s during the Western U.S. Energy Crisis of 2000 and 2001 following the California electricity deregulation debacle, and allowed the City to sell or donate tens of millions of dollars in surplus power.
- Assisted in lobbying energy-related and Y2K bills at national and state levels.
- Successfully litigated tens of business cases on breach of contracts, construction disputes, real estate, bankruptcy, False Claims Act and RICO claims.

▶ **Criminal Prosecutor**

6/95 to 10/97

Tried criminal cases including DUI, electronic fraud, and vehicular manslaughter. Successfully prosecuted to verdicts approximately 32 jury and 40 bench trials.

▶ **Civil Liability, Law Clerk**

6/93 to 5/95

Researched and drafted law and motions for senior attorneys. Assisted trial preparation in tort and LAPD federal civil rights violation cases. Took depositions of witnesses.

U.S. BANKRUPTCY COURT, Central Dist., CA

12/93 – 6/94

Intern: Researched bankruptcy and related state law issues. Analyzed motions, prepared bench memoranda and recommended tentative rulings to the judge.

ENGINEERING, MANAGERIAL & BUSINESS EXPERIENCE

Boeing Corp. (formerly McDonnell Douglas), Long Beach, CA 7/88 – 12/93
Engineering Specialist, Program Coordinator: Assisted supervising of 26 to 98 engineers in a joint venture with the People's Republic of China. Responsible for the structural integrity and FAA certification of jumbo aircraft. Negotiated contractual liabilities with European vendors.

Raytheon Co. (formerly Ebasco Engineering Corp.), New York, NY 7/87 – 1/88
Lead Engineering Coordinator: Provided consulting on nuclear power plant design, construction, and regulatory compliance issues. Interfaced with the Nuclear Regulatory Commission on licensing and regulatory requirements of nuclear power stations. Tested British software for engineering applications.

Sargent & Lundy Engineers, Chicago, IL 9/83 – 7/87
Structural Engineer: Worked extensively on engineering, construction, inspection, and licensing of nuclear power stations. Devised construction Quality-Control programs. Developed engineering software.

PROFESSIONAL HONORS

Professional Awards & Honors

- Nominated for the *2006 Counsel of the Year Awards--Public Counsel division*, ASSOCIATION OF MEDIA AND ENTERTAINMENT COUNSEL (Nov. 2006)
- Received the *City of Los Angeles Quality and Productivity Commission's Award* (2005) for pioneering and implementing the "Intellectual Property Asset Management" Program
- Named "*Rising Star, SuperLawyer*," by LAW & POLITICS/LOS ANGELES magazines (2004)

Noteworthy Press Reports

- "*Asset Management*" by THE RECORDER (S.F.) and <<http://www.Law.com>> (p. 1, June 22, 2004)
- "*Trademarks and the City*," PUBLIC LAW JOURNAL of the State Bar of California (Vol. 27, No. 3, Summer 2004)
- "*L.A. Story: The city embraces intellectual property*," IP LAW & BUSINESS TODAY (2004)
- "*Engineer Has Patent on Leadership of Bar Group*," DAILY JOURNAL (L.A.) (p.1, March 21, 2003)
- "Unauthorized Practice of Law," L.A. TIMES (2003)
- "*Money from Within*" in STATE GOVERNMENT NEWS (June 2002); "*Employee Inventions Can Be Revenue Sources*" by INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION MAGAZINE, and "*Government Employee Inventions and IP*" in PUBLIC MANAGEMENT MAGAZINE (July 2002)
- "*Firms Try to Reach Misunderstood Asian Market. Thoughtful Efforts Produce Rich Rewards*" S.F. CHRONICLE (April 25, 2002)

AFFILIATIONS & COMMUNITY SERVICES

Business and Bar Affiliations

- **Judicial Council of California Bench-Bar Coalition**
Member, 2013-present
- **Los Angeles County Bar Association**
Trustee, 2002-2004, 2007-2008
Member, Corporate Law Section
Member, Judicial Evaluations Appeals Panel, 2003
- **Southern California Chinese Lawyers' Association**
President, 2003-2004
Board of Governors, 1998-2004
Chair, Judicial and Political Appointments Evaluation Committee, 2001
- **The LGBT Bar Los Angeles (formerly LGLA)**
Co-President 2011
Board Member 2009-2014
- **State Bar of California and American Bar Ass'n. (Intellectual Property Law Sections)**
- **Beverly Hills Bar Association (IP Section Executive Committee)**
- **National Asian Pacific American Bar Association**
West Coast Annual Conference, Co-Chair
In-House Counsel Circle
Mentoring Program
Intellectual Property Forum
- **National LGBT Bar-Affiliate Congress (Washington, D.C.)**

Academic & Community Services

- Co-founder & Executive Committee Member, the *USC IP Law Institute*, University of Southern California Gould School of Law, 2003-present
- Founding member, *Loyola Law School IP Focus Series*, Loyola Law School, Los Angeles, 2004-2008
- Executive Advisory Council & Annual Gala Fundraising Dinner Committee, Asian American Advancing Justice-Los Angeles, 2003-present
- Diversity and Inclusion Advisory Board to Los Angeles City Attorney, 2014-present
- Member, (East L.A.) White Memorial Hospital Expansion Fundraising Project, 2004-2005
- Board Member, Friends of Chinese American Museum, 2007-2008

PROFESSIONAL SPEAKING

- Panelist, *Hot Topics in Patent Law for In-House Practitioners*, "WASHINGTON IN THE WEST," presented by the Los Angeles Intellectual Property Law Association, Los Angeles (Jan. 2014)
- Speaker, *Licensing of City IP Assets and Local Laws for Enforcement of IP* at the "SEMINAR AND STUDY TOUR FOR FEDERAL JUDGES OF MEXICO" hosted by the USPTO Global IP Academy (April 26-May 7, 2010)
- Speaker, *IP Assets and Governments* at the "SEMINAR AND STUDY TOUR FOR MINISTRY OF

- JUSTICE OF THE REPUBLIC OF GEORGIA” hosted by the USPTO Global IP Academy (2009)
- Speaker, *Canadian Bar Association, Toronto*, panel on Innovations in Outsourcing (IP Asset Management in North America) (2006)
 - Guest Lecturer, *Survey of U.S. Business & Intellectual Property Laws*, Jiao Tong University School of Law, Shanghai, China (Dec. 2006)
 - Panelist, “*Global Third Way: Intellectual Property Rights at the Forefront of the UN MGD8, Developing Partnership for Development*,” ATHGO 2006 INTERNATIONAL SYMPOSIUM (partnered with World Intellectual Property Organization) (Nov. 2006)
 - Speaker, *IP and Cities*, City Attorneys Spring Conference, LEAGUE OF CALIFORNIA CITIES, Torrey Pines, CA (May 2008)
 - Speaker, IP STRATEGY INNOVATION SUMMIT, by Innovation Enterprise (UK), San Francisco (June 2014)
 - Chair, IOT (INTERNET OF THINGS) SUMMIT: THE RISE OF THE INTERCONNECTED WORLD, by Innovation Enterprise (UK), San Francisco (Apr. 2016)
 - Speaker, various in-house CLE training sessions for general counsel, executives and officials on IP and related business issues (2003-present)
 - Speaker, *Intellectual Property and the Ports* at the AMERICAN ASSOCIATION OF PORT AUTHORITIES: PORT ADMINISTRATION AND LEGAL ISSUES SEMINAR, Boston MA (Apr. 2013)
 - Speaker, CORPORATE VENTURING SUMMIT, by Innovation Enterprise (UK), San Francisco (Sept. 2015)
 - Speaker, IP STRATEGY INNOVATION SUMMIT, by Innovation Enterprise (UK), Boston (Oct. 2015)
 - Speaker, *Demand and Cease & Desist Letters: A Workshop*, CALIFORNIA STATE BAR INTELLECTUAL PROPERTY LAW SECTION, “INTELLECTUAL PROPERTY FOR IN-HOUSE COUNSEL” CONFERENCE (May 2007)
 - Speaker, *IP Basics and Hot Topics*, ANNUAL MEETING OF COUNTY COUNSELS’ ASSOCIATION OF CALIFORNIA (Sept. 2006)
 - Panelist, *Grokster and Secondary Liabilities* at the 16th Annual Business Development Conference, California Minority Counsel Program (2005)
 - Panelist, *Celebrating Diversity as a Member of The Invisible Bar: How LGBT Lawyers of Color Can Stand Out and Succeed* hosted by California Minority Counsel Program (2015)
 - Speaker, *Film and Media Business Seminar* (Nov. 2007) and *IP Rights Clearance-Film & Media Business Seminar 2008* (Oct. 2008) CALIFORNIA LAWYERS FOR THE ARTS
 - Moderator & Speaker, *Hollywood Meets Silicon Valley: Licensing & IP Issues in the New Digital Entertainment World*; and *Careers in the Public Sector as City Attorneys, Prosecutors and Public Defenders*, NATIONAL ASIAN PACIFIC AMERICAN BAR ASSOCIATION CALIFORNIA CONFERENCE (July 2006)
 - Speaker, *Intellectual Property Protection Primer*, National Conference of Vietnamese American Attorneys (Sept. 2009)
 - Speaker, *Cities Push Limits of Trademark Laws*, Loyola Law School L.A. Special IP Focus Series, (Feb, 2006)
 - Guest Lecturer, *Loyola Intellectual Property Law Society*, (Feb, 2006)
 - Pro bono Consultant on entertainment law policies and IP start-up programs to state and local governments in California, Nevada, Florida, Illinois, Ontario and Ottawa, Canada
 - Taught MCLE classes to corporate executives and/or attorneys on "Legal Issues of the Y2K Problem" (1999) & "Virtual Reality" Trial Skills Workshop (1998-2001)