

ELLIS GEORGE CIPOLLONE

ELLIS GEORGE CIPOLLONE O'BRIEN ANNAGUEY LLP



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Matthew L. Venezia is a Partner with Ellis George Cipollone O'Brien Annaguey LLP. Mr. Venezia represents his clients in weighty and challenging matters, with a particular emphasis on intellectual property and business disputes concerning various forms of unfair competition.

Prior to joining the firm, Mr. Venezia was an associate in TroyGould PC's litigation department, where he maintained a complex commercial litigation practice. Before joining TroyGould PC, Mr. Venezia served as in-house counsel for Fidelity National Title Group.

Mr. Venezia graduated *cum laude* from Washington University School of Law in St. Louis where he served as a Senior Editor for the *Washington University Law Review*.

Education

- Washington University School of Law, J.D., *cum laude*, 2012
- University of Missouri, Sociology, B.A., 2009

Bar Admissions

- California

Notable Representations

- *Nexus Pharmaceuticals v. Central Admixture Pharmacy Services (CAPS)*. Defended CAPS against unfair competition claims premised upon argument that one of its products was sold in violation of the Drug Quality and Security Act. CAPS's motion to dismiss was granted in its entirety on preemption grounds. The Ninth Circuit affirmed in a published opinion, currently available at 2022 WL 4175106.
- *Ironhawk Technologies v. Dropbox*. Represented Ironhawk Technologies in a trademark infringement case against Dropbox, alleging that Dropbox infringes upon Ironhawk Technologies' SmartSync® trademark. While the district court originally dismissed Ironhawk Technologies' claims on summary judgment, that decision was reversed in its entirety by the Ninth Circuit in a published opinion, available at 2 F.4th 1150.
- *Atari Cases*. Represented Atari in a number of actions seeking to protect its trademarks and copyrights from infringement, obtaining favorable settlements. Second chaired trademark and copyright infringement trial, and am currently representing Atari in an appeal before the Ninth Circuit.
- *ImprimisRx v. OSRX*. Represent leading drug compounder in unfair competition and trademark and copyright infringement action against competitor.
- *Consumer Class Actions*. Represented plaintiffs in consumer class actions, including an ongoing action against DoorDash related to false and misleading advertising.
- *PennyMac Loan Services v. Black Knight, Inc.* Defended Black Knight against antitrust claims brought by PennyMac alleging that Black Knight sought to monopolize the market for mortgage servicing software. Obtained transfer of claims to Black Knight's home district of the Middle District of Florida.
- *NexGen HBM v. ListReports*. Defended ListReports against trade

secret and false advertising claims, where NexGen HBM sought in excess of \$50 million in damages. After litigating for more than three years, NexGen HBM voluntarily dismissed its claims with prejudice prior to the hearing on ListReports' motion for summary judgment.

- *Allergan v. Imprimis*. Defended Imprimis against unfair competition and false advertising claims brought by Allergan. Allergan requested \$7.2 million in lost profits and as much as \$54 million in disgorged profits, but the jury ultimately awarded Allergan just \$48,500 for lost profits and zero dollars for disgorged profits.
- *Solomon Capital v. Lion Biotechnologies*. Represented Lion Biotechnologies in connection with its appeal of an order granting a motion to dismiss of its fraud-based counterclaims and defenses against a purported broker seeking compensation for its failed attempts to raise capital. The New York Supreme Court, Appellate Division, reversed the lower court's decision in its entirety and denied the motion to dismiss. (Representation at prior firm.)

Practice Areas

- Commercial Litigation
- Trademarks
- Copyrights
- Trade Secrets
- Real Estate