



## → Michael R. Heimbold

### Partner

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Michael Heimbold is a partner in the Intellectual Property and Business Trial Practice Groups in the firm's Century City office.

### Areas of Practice

Michael is a seasoned trial lawyer with experience litigating a broad array of complex business and intellectual property matters, including cases involving trademark and copyright infringement and licensing, shareholder and partnership disputes, misappropriation of trade secrets and unfair competition, patent infringement, securities and fiduciary litigation, and real estate litigation. He also has extensive experience counseling clients in the fashion, beverage and digital media industries in connection with intellectual property and corporate financing transactions. Michael has represented clients in the technology, fashion, entertainment, consumer products and apparel, telecommunications, insurance, finance, and healthcare industries.

Michael has served as lead counsel in trials, arbitrations, administrative agency hearings and appellate proceedings throughout the United States. Representative litigation matters include: represented one of the world's largest semiconductor manufacturers in arbitration of over \$100 million in claims alleging breach of warranty in one of the world's most complex graphics processors; trial counsel for major apparel manufacturer and its founder in a 6-week jury trial in which plaintiffs sought over \$75 million in damages for fraud and breach of contract and the forced liquidation of the company – Michael's client was awarded ownership of the company which subsequently sold for over \$700 million; defended major handbag manufacturer against trademark and trade-dress infringement claims in trial seeking over \$90 million in damages – plaintiff recovered less than two percent of demand; represented six of the world's leading luxury watch manufacturers against trademark and trade dress claims – obtained judgment invalidating plaintiff's incontestable trademark; trial counsel for global insurance company in CERCLA cost recovery action against the US Department of Defense – won judgment worth over \$60 million; lead counsel for global telecommunications company in multi-million dollar fraudulent transfer action against significant reseller – obtained decision imposing liability on transferee; lead counsel defending international telecommunications company in \$18 million dollar breach of contract claim – plaintiff recovered less than 1% of demand; obtained the dismissal of civil extortion and interference claims as lead counsel for a major apparel manufacturer and its CEO; defeated numerous copyright claims brought under the DMCA against a luxury clothing brand; defended a major foreign broadcast network against hundreds of copyright claims.

In addition to his litigation practice, Michael represents clients in connection with a wide range of corporate, intellectual property licensing and financing transactions. He has negotiated numerous trademark and technology licenses, and has advised clients in the fashion, food and beverage and entertainment industries on

well over \$1 billion worth of corporate, M&A and intellectual property transactions.

Prior to attending law school, Michael was a structural dynamics engineer with the McDonnell Douglas Corporation where he specialized in shock isolation and dynamic analyses of commercial and military aircraft projects.

Michael has been listed in *Southern California Super Lawyers* by *Law and Politics* and *Los Angeles* magazines from 2008 to 2016. He was recognized in the *Rising Stars* category by the same publications from 2004 through 2006.

Michael is a member of the Loyola Law School Board of Directors and the Advisory Board of the Ninth Circuit US Court of Appeals.

## Honors

Best Lawyers in America, *Best Lawyers*, 2023-2026

*Southern California Super Lawyers*, Business Litigation, 2008-2016; *Rising Star*, 2004-2006

## Experience

- American International Specialty Lines Insurance Company v. United States of America. Represented American International Specialty Lines Insurance Company (“AISLIC”) against US Department of Defense in CERCLA cost-recovery action seeking contribution from the United States for over \$100 million in environmental remediation costs for environmental cleanup of the former Whittaker Bermite explosives and ammunition site in Southern California. After a court trial AISLIC was awarded 40% of future necessary response costs (over \$100 million) and over \$3.3 million in past response costs.
- Confidential Arbitration. Represented one of world’s largest graphics processor companies against one of world’s largest gaming companies in arbitration of over \$100 million in claims alleging breach of warranty in one of the world’s most complex graphics processors. Case settled favorably after summary judgment.
- Jerome Dahan and Michael Glasser v. Peter Koral and 7 For All Mankind. Represented co-founder and co-owner of 7 For All Mankind designer apparel brand in a 4-week jury trial in which plaintiffs sought over \$75 million in damages for fraud and breach of contract and the forced liquidation of the company based on alleged accounting irregularities and breaches of fiduciary duty. Michael’s client Peter Koral secured ownership of the company which subsequently sold for over \$700 million.
- Confidential Arbitration. Represented major theatrical marketing company against former officer bringing claims for breach of contract and fiduciary duty. Former officer alleged he was a Member of the limited liability company and was entitled to a percentage of the company’s equity and profits. Michael’s client prevailed at arbitration, with the arbitrator denying officer’s claimed entitlement to an equity interest in the company or a share of the company’s operating profits.
- Gucci America, Inc. v. Guess?, Inc. et al. Represented major manufacturer and designer of luggage and travel products against trademark and trade dress infringement claims brought by Gucci seeking over \$90 million in damages and defendants’ profits. After lengthy court trial, Gucci recovered less than 5% of its demand.
- Confidential Arbitration. Represented major designer apparel and accessories brand (“Brand”) in breach of contract and conversion case against information technology and computer services provider that engaged in substantial over-billing and threatened to disable the Brand’s computer systems if it did not comply with

excessive financial demands. After obtaining a temporary restraining order in New Jersey District Court, Michael's client prevailed at arbitration and secured all relief sought, including an award of attorney's fees.

## Memberships

Member, Advisory Board of the Ninth Circuit US Court of Appeals

American Bar Association, Litigation and Intellectual Property Sections

Association of Business Trial Lawyers

Los Angeles County Bar Association, Litigation and Intellectual Property Section

Member, Loyola Law School Board of Overseers

## Practices

Intellectual Property

Trademarks and Trade Dress

IP Licensing, Technology and Commercial Transactions

False Advertising, Lanham Act and Unfair Competition

Copyrights

Litigation

Securities Litigation

Alternative Dispute Resolution

Corporate

Emerging Company & Venture Capital

Mergers and Acquisitions

## Industries

Entertainment, Technology and Advertising

Food and Beverage

Retail, Fashion & Beauty

## Education

J.D., Loyola Law School, 1994

B.S., Mechanical Engineering, California State University, Long Beach, 1988

## Clerkships

Judicial Extern to the Honorable Vincent P. Zurzolo at the US Bankruptcy Court for the Central District of California

## Admissions

California