

# Ilissa Samplin

Partner

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Los Angeles

Ilissa Samplin is a partner in the Los Angeles office of Gibson, Dunn & Crutcher. Ilissa serves as co-chair of the firm's Media, Entertainment and Technology Practice Group. She also is a member of Gibson Dunn's Litigation, Intellectual Property, and Trials Practice Groups.

Ilissa's practice focuses on complex commercial litigation and trials, entertainment and technology disputes, and intellectual property litigation and counseling. She has represented corporate and individual clients in the media, entertainment, and technology industries in a wide range of litigation in both federal and state court, including breach of contract, unfair competition, copyright, trademark, trade secret, and antitrust matters. Ilissa also regularly advises clients on intellectual property policies and compliance. In addition, she has experience drafting life rights, intellectual property, and licensing agreements and cease and desist letters for clients in the entertainment and technology sectors, as well as advising entertainment clients on profit participation and related accounting practices.

*Chambers USA* ranks Ilissa among the leading practitioners for both commercial litigation and media and entertainment litigation, and *The Legal 500* recognizes her as a "Next Generation Lawyer" in trade secrets. Ilissa has been named to *Lawdragon's* 500 Leading Litigators in America annually in their 2023-2025 guides, and *Benchmark Litigation* has repeatedly recognized her on its 40 & Under list of "top emerging talent in litigation," as well as naming her a "Future Star." *The Daily Journal* named Ilissa one of the top trade secrets lawyers in California in 2024, and one of the top 40 lawyers in California under 40 in 2022. Ilissa also has been named to the *World Trademark Review 1000: The World's Leading Trademark Professionals 2023* and 2024 editions. For her media and entertainment work, Ilissa was recognized as a "Rising Star" in Media and Entertainment by *Law360* and *Euromoney* in their 2022 publications, and *Euromoney Legal Media Group* named her as the national 2021 Litigation Rising Star at its Women in Business Law Awards. Ilissa has been featured in *Variety's* Legal Impact Report in 2020, 2021, 2022, and 2023, and has been recognized by *The Best Lawyers in America*® as "One to Watch" in Entertainment and Sports Law. *Super Lawyers* consistently names Ilissa a "Rising Star" in General Litigation in Southern California. In addition, Ilissa was part of the team that earned recognition in the *Daily Journal's* 2020 "Top Verdicts" for a bench trial win for AMC in a profit participation case concerning *The Walking Dead*.

## Representative Trials:

- Achieved a complete victory for AMC on all issues tried in a first phase bench trial in Los Angeles, in a long-running profit participation and breach of contract litigation concerning the television series, *The Walking Dead*. Subsequently achieved summary judgment for AMC on a remaining breach of implied covenant claim. Represented AMC in related profit participation and breach of contract litigations in New York.
- Represented VOOM HD Holdings, a subsidiary of Cablevision Systems



## Capabilities

Litigation  
Artificial Intelligence  
Fashion, Retail, and Consumer Products  
Intellectual Property  
Labor and Employment  
Media, Entertainment, and Technology  
Technology Litigation  
Trade Secrets  
Trials

## Credentials

### Education

Stanford University - 2011 Juris Doctor  
Dartmouth College - 2008 Bachelor of Arts

### Admissions

New York Bar  
California Bar

### Clerkships

USDC, Eastern District of New York, Hon.  
Joseph F. Bianco, 2012 - 2013

Corporation, in a multibillion dollar breach of contract action against DISH Network. The four-week jury trial ended in a lucrative settlement valued at over \$1 billion, one of the largest settlements in a breach of contract case in New York State Court history.

- Achieved a complete victory for a confidential client in a multi-million dollar profit participation arbitration after a two-week hearing.
- Represented Hewlett Packard Enterprise against claims of copyright infringement, tortious interference, and unfair competition brought by Oracle in a lawsuit relating to a subcontractor's handling of components of an Oracle Operating System. Achieved summary judgment in part, based on statute of limitations arguments, which was affirmed by the Ninth Circuit on appeal. Defended Hewlett Packard Enterprise in a 3-week jury trial, after which the parties settled on confidential terms.
- Achieved a complete victory for a confidential client, as the claimant, in a multimillion-dollar ICC arbitration related to power supply contracts.
- Representation of Rimini Street, a leading software support services provider, in copyright, false advertising, and unfair competition litigation against Oracle in the District of Nevada. Represented Rimini Street in two bench trials in connection with this matter.
- Represented a confidential client in a multimillion-dollar breach of contract and conversion action in California State Court. The team's aggressive pre-trial briefing strategy secured significant victories for the client, and ultimately a favorable settlement on the eve of trial.
- Achieved a favorable verdict under the Fair Labor Standards Act for an individual client in New York Federal Court.

#### **Representative Entertainment and Intellectual Property Matters:**

- Securing dismissal with prejudice, on behalf of SoundCloud Limited and SoundCloud Inc., of a trade secrets misappropriation action brought by Beatport concerning online music streaming platforms.
- Securing dismissal with prejudice of trade secret misappropriation and related claims against Oath Holdings, a subsidiary of Verizon, in a lawsuit filed by Investment Science in New York Federal Court. Obtained novel holding that an implied contract of confidentiality does not constitute a reasonable measure to protect a trade secret.
- Securing a major summary judgment victory on willfulness damages, for a leading digital download service provider, in multiple copyright infringement litigations related to musical compositions. The first time a court has held on summary judgment that a digital service provider's reliance on contractual representations from its content providers can preclude a finding of willful infringement. As a result of the Court's ruling, plaintiffs' maximum possible damages award decreased by 80%. Also won Daubert motions resulting in the exclusion of the opinions of three of plaintiffs' experts at trial.
- Securing dismissal with prejudice, on behalf of Verizon Media, Yahoo, AOL, and Oath Holdings of trademark infringement claims in two lawsuits brought by Evox in California Federal Court, which was affirmed on appeal to the Ninth Circuit. Achieved favorable settlement of remaining copyright infringement claims.
- Securing summary judgment for a major digital download service provider in a copyright infringement litigation based on a successful fair use defense.
- Successfully convinced district court to grant Campari America's motion to stay a trademark litigation filed by the plaintiff pending resolution of the parties' ongoing proceedings before the Trademark Trial and Appeal Board.
- Achieving default judgment for CrossFit in two trademark infringement and breach of contract litigations arising out of the activities of former CrossFit licensees in

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Mexico.

- Securing dismissal with prejudice on behalf of CBS board members in a putative securities class action.
- Achieving a favorable settlement for Theory Entertainment in a breach of contract and conversion action brought by a former executive, after near complete success on a motion to dismiss.
- Achieving a favorable settlement for Korn Ferry in a misappropriation of trade secrets and breach of contract litigation brought by competitor, Heidrick & Struggles.
- Achieving a favorable settlement for Korn Ferry in a misappropriation of trade secrets and tortious interference litigation brought by competitor, Spencer Stuart.
- Achieving a favorable settlement for a leading mobile gaming company in a trade secrets misappropriation, breach of contract, and fraud litigation.
- Achieving a favorable settlement for a cosmetics company in a misappropriation of trade secrets litigation.
- Achieving a favorable settlement for Huda Beauty in a copyright infringement litigation.
- Achieving a favorable settlement for Onyx Renewable Partners in a trade secrets misappropriation and breach of contract and fiduciary duty litigation against its former general counsel.
- Achieving a favorable settlement for a social media application and its two co-founders in a bet-the-company dispute that included claims for breach of joint venture agreement, fraud, and breach of fiduciary duty.
- Achieving a favorable settlement for a major technology firm in a trade secrets misappropriation, breach of contract, and breach of loyalty dispute with a former executive.
- Successfully represented WBTV in confidential profit participation arbitrations.
- Representing HSBC and employees in a trade secrets and breach of contract action brought by First Citizens Bank, relating to the collapse of Silicon Valley Bank. Achieved a favorable ruling on a motion to dismiss significantly cutting down the claims and defendants at issue in the case.
- Representing Big Fish Entertainment and REELZ against copyright infringement, trademark infringement, and unfair competition claims brought by A&E in connection with *On Patrol: Live*.
- Representing WBTV, WarnerMedia Direct, John Wells Productions, John Wells, Noah Wyle, and Scott Gemmill in a breach of contract action filed by the Michael Crichton Estate relating to a forthcoming medical drama, *The Pitt*—in which the Plaintiff claims that *The Pitt* is impermissibly derivative of *ER*.

#### **Representative Commercial Litigation Matters:**

- Securing dismissal with prejudice, on behalf of Hewlett-Packard, of a nationwide consumer class action brought on behalf of purchasers of numerous models of HP printers, asserting unfair trade practices, misrepresentations, tortious interference, violations of the Computer Fraud and Abuse Act, and trespass to chattels based on firmware updates to the printers.
- Securing dismissal, on the grounds of *forum non conveniens*, on behalf of General Electric and subsidiaries in a tortious interference action filed in the Southern District of New York, arising from prior proceedings under 28 U.S.C. § 1782. The Second Circuit affirmed the dismissal on appeal and the Supreme Court denied *certiorari*.
- Securing dismissal on behalf of General Electric subsidiaries of two follow-on tortious interference actions filed in the District of Connecticut.

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- Successfully obtaining 28 U.S.C. § 1782 discovery (discovery in aid of a foreign proceeding) on behalf of hedge fund manager, Louis Bacon, the founder of Moore Capital Management, and deposed key witnesses in a subsequent \$100 million defamation action brought by Mr. Bacon.
- Achieving a favorable settlement for Modern Health in a founders' dispute litigation, involving claims of wrongful termination, retaliation, breach of contract, defamation, and tortious interference.
- Representing Hewlett-Packard in an antitrust lawsuit related to ink cartridges.

From 2012 to 2013, Ilissa served as Law Clerk to the Honorable Joseph F. Bianco, then of the United States District Court for the Eastern District of New York. Ilissa received her Juris Doctor degree in 2011 from Stanford Law School. While at Stanford, she served as a Managing Editor of the *Stanford Journal of Law, Business, and Finance*, President of the Stanford Entertainment and Sports Law Association, and a member of the Cyberlaw Clinic. Ilissa received her Bachelor of Arts degree from Dartmouth College in 2008, where she graduated *summa cum laude* and was elected to Phi Beta Kappa.

Ilissa is admitted to practice in the States of California and New York and is a member of the bars of the United States Court of Appeals for the Ninth and Second Circuits and the United States District Courts for the Central and Northern Districts of California and the Southern District of New York. She is a member of the Board of Directors of the Los Angeles chapter of Friends of the Children, an organization that provides mentoring for children of youth who have been in the foster care system.

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