

Paul E. Torchia

Partner

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New York



Paul E. Torchia is a partner in the New York office of Gibson, Dunn & Crutcher.

Paul has litigated intellectual property cases in a wide range of technical fields, including computer hardware and software, telecommunications, wireless networking, medical devices, and pharmaceuticals for clients including Dell, Infor, Microsoft, NetApp, Novartis, Roku, Rubrik, and Sophos. Paul has tried seven intellectual property cases, including before the District of Delaware, Northern District of California, Southern District of California, Eastern District of Texas, and the International Trade Commission. Paul also has an active practice before the United States Patent Office, where he has successfully handled a number of *Inter Partes* Review proceedings on behalf of both patent owners and challengers.

Paul received his Bachelor of Science in Biochemistry from the University of Maryland in 1997. He obtained his Juris Doctor, *cum laude*, from Cornell University Law School in 2000, where he was an editor of *The Cornell Law Review*.

Paul is admitted to practice before the United States Supreme Court, the Federal Circuit Court of Appeals, the Eastern District of New York, the Southern District of New York, the Western District of Texas, Eastern District of Texas, the State of New York and the United States Patent and Trademark Office (No. 55,683).

In November of 2022, Paul was recognized by Patexia as one of the “Top IPR Attorneys of 2022.” According to Patexia, Paul placed “in the top 6% out of 5,626 attorneys,” who “earn[ed] their mention either for their high activity or for their top performance.”

Paul was named a “Rising Star” by Legal Media Group in its Expert Guide in June of 2016. According to the Legal Media Group, “the Rising Stars guide represents a listing of the brightest and most talented practitioners in the area of business law and related practices.” *Benchmark Litigation* has recognized Paul as a ‘Litigation Future Star’ for New York in its 2022–2025 guides. He is also featured as a top rated Intellectual Property Litigation attorney in New York, New York by *Super Lawyers*.

Representative Experience:

- Won a complete victory on summary judgment of non-infringement for Dell EMC, on 8 patents, in a patent litigation against ACQIS in the District of Massachusetts. Defeated ACQIS’s appeal before the Federal Circuit, and then on remand won a \$4 million award of attorney fees from the District Court. ACQIS asserted this same patent portfolio against Dell’s competitors in the Eastern and Western Districts of Texas and obtained jury verdicts of infringement.
- Tried and won a patent case for EMC against Pure Storage with Josh Krevitt and Kate Dominguez in the District of Delaware. Argued numerous motions, drove the damages case, and secured EMC a \$14 million jury verdict.

Capabilities

Intellectual Property
Litigation
Technology Litigation

Credentials

Education

Cornell University - 2000 J.D., cum laude
University of Maryland - 1997 Bachelor of
Science

Admissions

New York Bar

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- Tried and won a high-profile patent case for Novartis with Jane Love and Bob Trenchard in the District of Delaware. The case involved Novartis's blockbuster multiple sclerosis drug Gilenya. Previously developed, argued, and won the irreparable harm portion of Novartis's motion for a preliminary injunction.
- Represented Archer Aviation in a high-profile patent and trade secret litigation against Wisk Aero in the Northern District of California. Defeated a motion for a preliminary injunction, won significant pretrial motions, and secured a favorable settlement for Archer.
- Argued and won a motion for summary judgment of non-infringement for NetApp in its case against Intellectual Ventures in the District of Massachusetts.
- Represented Dell as lead counsel in two high stakes patent litigations brought by Sisvel in the District of Delaware, involving over twenty patents directed to cellular communications technology. Pursued a successful IPR strategy that resulted in both Delaware litigations being stayed, and numerous patents being invalidated. Obtained a highly favorable settlement for Dell.
- Represented Rubrik in its patent litigation against Actifio in the District of Delaware. Forced Actifio to drop its motion for a preliminary injunction and dismiss its case against Rubrik without obtaining any payment.
- Represented Rubrik in three high stakes patent litigations against Commvault in the District of Delaware and the Western District of Texas. Obtained a highly favorable settlement for Rubrik.
- Represented AppDynamics in two high-profile intellectual property cases against CA Technologies in the Eastern District of New York and the Northern District of California. Forced a highly favorable settlement for AppDynamics that cleared the way for its subsequent \$3.7 billion acquisition by Cisco.
- Represented Dell as lead counsel in a patent litigation against VideoLabs in the Western District of Texas. Secured a favorable settlement.
- Represented Sophos in a patent litigation against Open Text in the Western District of Texas. Secured a favorable settlement.
- Lead counsel for Roku in a patent litigation against VideoLabs pending in the District of Delaware.
- Representing NetApp in a patent litigation Against KOM Networks pending in the District of Delaware.
- Representing Novartis in a patent litigation brought by Shilpa in the District of Delaware.
- Representing Dell in a series of patent litigations against WSOU in the Western District of Texas.
- Represented Infor in various patent litigations brought in the Northern District of Texas, Eastern District of Texas, District of Delaware, Eastern District of Virginia, Central District of California, and Middle District of Florida. Secured numerous favorable settlements.
- Represented a major manufacturer of smartphones and tablets in its high-profile patent case against Samsung in the Northern District of California. Developed the patentee's novel and successful consumer-survey-based irreparable harm and damages theories.
- Represented a major national mobile carrier in several patent litigations filed in the Eastern District of Texas.
- Represented Fixmo in its patent infringement case against Good Technologies in the Northern District of Texas.
- Represented Aruba Networks in several successful patent litigations and one jury trial before the District of Delaware*, the Eastern District of Texas*, and the Central District of California.

- Represented Microsoft in several patent cases and one jury trial before the Eastern District of Texas and Court of Appeals for the Federal Circuit.*
- Represented Thomson Licensing in its International Trade Commission proceeding against BenQ and AU Optronics. Took the lead on one of the five patents in-suit at trial and worked with Josh Krevitt to secure a highly favorable settlement after trial.*

**Representation occurred before employment at Gibson Dunn*

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