

Jared J. Braithwaite

Partner

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Jared Braithwaite is a proven courtroom advocate for companies defending their market position through intellectual property enforcement. From bet?the?company trade secret battles to multi?forum patent litigation before courts across the U.S. and before the International Trade Commission, Jared delivers efficient, strategic, business?driven results. He draws on deep and diverse technical knowledge, an understanding of industry dynamics, and years of high?stakes litigation experience to secure outcomes that protect innovation and maximize client value. He is equally adept at prevention, counseling on data protection policies, regulatory compliance, incident response planning, and due diligence in transactions involving sensitive IP and personal data.

A registered patent attorney and dual?certified privacy professional (CIPP/US, CIPT), Jared advises technology?driven businesses — from market leaders to fast?growth startups — across software, communications, consumer products, medical devices, and biotechnology. His representative clients are active in software and information technology, communications, electronics, construction, consumer products, medical devices, and biotechnology.

Jared has been recognized by *Best Lawyers in America*, *Super Lawyers*, and *Utah Business Magazine's Legal Elite* for his IP and privacy expertise. He delivers practical, cost?effective strategies that protect key assets, mitigate risk, and position clients for long?term success. His combination of courtroom skill, technical knowledge, and business awareness makes him a trusted advisor to executives and in?house counsel facing today's complex technology and regulatory challenges.

Representative Experience*

- Represented multiple defendants in related lawsuits across the United States regarding water feature designs, securing dismissals of patent, trademark, trade dress, unfair competition, and breach of contract claims, including summary judgment of invalidity with respect to an asserted patent and including mitigation of litigation exposure through exclusion of unreliable damages theories by the

plaintiffs' expert witness.

- Represented software company with respect to large patent dispute over robotic process automation software and helping to secure a settlement at a small fraction of claimed damages.
- Represented leading fitness company in patent, trademark, trade secret, advertising, and unfair competition lawsuits in courts across the United States, including before the ITC.
- Represented software company with respect to software source code misappropriation by a customer in bet-the-company litigation, and secured preliminary injunction and multimillion-dollar jury verdict based on copyright infringement, trade secret misappropriation, and other wrongs.
- Represented leading basketball backboard manufacturer against major competitor in multi-forum patent litigation in the U.S. District Courts and ITC to collect patent royalties on a substantial portion of the market not covered by the client's own sales.
- Represented startup optical communications company to secure early dismissal and responsive industry messaging against unfounded trade secret misappropriation and unfair competition claims brought by an established competitor interfering with the startup's business.

* Certain of these matters were handled prior to joining Foley

Awards and Recognition

- Selected by *Utah Business Magazine* as Legal Elite (2024)
- *The Best Lawyers in America*®: Litigation – Intellectual Property (2022-2026), Litigation – Patent (2022-2026), Privacy and Data Security Law (2023-2026)
- Mountain States Super Lawyers®, Intellectual Property (2013-2019, and 2022-2025)
- *Utah Business Magazine's* Legal Elite, Intellectual Property (2011, 2015, 2018-2019, and 2022)

Affiliations

- Co-chair, eDiscovery Committee, ABA Intellectual Property Law Section (2015-2021)
- Leadership and former chair, David K. Winder Intellectual Property American Inn of Court (2016-2021)
- Leadership and former chair, Cyberlaw Section of the Utah State Bar (2018-2021)
- Registered Patent Attorney
- Certified Information Privacy Professional, United States (CIPP/US)
- Certified Information Privacy Technologist (CIPT)

Presentations and Publications

- Author, *Utah – Data Protection Overview, OneTrust Dataguidance™* (2025)
- Speaker, "Risk Management for Developments in Privacy Lawsuits," Foley National CLE Week (November 2024)
- Speaker, "AI and Cybersecurity," ACC Mountain West Tech Law Symposium (March 2024)
- Author, *Utah – Sectoral Privacy Overview, OneTrust Dataguidance™* (March 2023)
- Speaker, "[Intersection of Government Health Regulation, IP, Trade, and Privacy Enforcement](#)," The 8th Annual Law and Biomedicine Colloquium, University of Utah, S.J. Quinney College of Law (March 29,

2022)

- Speaker, "What Are Reasonable Data Security Measures?" 2022 Utah iSymposium (Aug. 18, 2022)
- Speaker, "Mitigating Cybersecurity Risks During the COVID-19 Response," Webinar (April 20, 2020)
- Speaker, "California's Consumer Privacy Act," Utah Bar Association, Intellectual Property Section (Nov. 20, 2019)
- Author, "A Legal Perspective on Data Security for Small Businesses," *Utah Business Magazine* (Oct. 16, 2019)
- Speaker, "California's Consumer Privacy Act," Utah Bar Association, Cyber Law Section (October 2019)
- Author, "Why Your Intellectual Property Counsel Should Understand Your Business," *Orange County Business Journal* (August 2019)
- Panel Moderator, "Advising Emerging-Growth Tech Companies: Venture Funding, Growing Legal Operations, Privacy Plain, and Beyond," 2019 Utah iSymposium (April 24, 2019)
- Speaker, Utah Business Legal Roundtable (April 17, 2019)
- Speaker, Utah Business Cybersecurity & Digital Privacy Roundtable (Jan. 9, 2019) Speaker, "What Does My Lawyer Have to do with Cybersecurity?" 2018 Utah Business Cybersecurity Summit (Oct. 18, 2018)
- Speaker, "California Consumer Privacy Act of 2018," Presentation to the Cyberlaw & Privacy Section of the Utah State Bar (Aug. 15, 2018)
- Speaker, "California's Consumer Privacy Act of 2018," Utah Bar Association, Cyber Law Section (Aug. 2018)
- Author, "Cybersecurity to Protect Trade Secrets," *Orange County Business Journal* (February 2018)

Sectors

- [Innovative Technology](#)

Practice Areas

- [Cybersecurity](#)
- [IP Litigation](#)
- [Intellectual Property](#)
- [Privacy, Security & Information Management](#)
- [Technology Transactions, Cybersecurity, and Privacy](#)

Education

- Brigham Young University, J. Reuben Clark Law School (J.D., 2009)
- University of Utah (B.S., 2006)

Admissions

- Utah
- California

- U.S. Supreme Court
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Appeals for the 10th Circuit