

Jared J. Braithwaite

Partner

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Jared Braithwaite represents clients facing technology-related litigation by employing optimum and efficient strategies that protect their assets while mitigating risk.

A partner and intellectual property litigation, privacy, and data security lawyer with Foley & Lardner LLP, Jared is based in the firm's Salt Lake City office and a member of the Innovative Technology and Health Care & Life Sciences Sectors.

Clients turn to Jared when faced with business disputes and litigation involving trademarks, copyrights, unfair competition, trade secrets, and other matters. He also counsels clients on cutting-edge data protection issues, including privacy policies, regulation compliance, incident response planning and preparedness, and due diligence in corporate transactions. His representative clients are active in software and information technology, communications, electronics, consumer products, medical devices, and biotechnology.

Jared has appeared before the International Trade Commission (ITC) and in state and federal courts across the country, including the U.S. Supreme Court and the U.S. Court of Appeals for the Federal Circuit. He is a Certified Information Privacy Professional (CIPP/US), a Certified Information Privacy Technologist (CIPT), and is actively involved in the Utah Bar's Cyberlaw Section, for which he previously served as a section chair.

Representative Experience*

- 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 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.
- 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 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.

**Certain of these matters were handled prior to joining Foley.*

Awards and Recognition

- *The Best Lawyers in America®*: Litigation – Intellectual Property (2022-2024), Litigation – Patent (2022-2024), Privacy and Data Security Law (2023-2024)
- Mountain States Super Lawyers®, Intellectual Property (2013-2019, and 2022-2023)
- *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 – 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