



TIMOTHY B. YOO

PRINCIPAL

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EDUCATION

University of California, Berkeley School of Law, J.D.,
American Jurisprudence Award (Introduction to IP), 2007

California Institute of Technology, B.S., Applied &
Computational Mathematics, 2004

OVERVIEW

Timothy B. Yoo specializes in technology and intellectual property disputes. Timothy has rapidly established himself as a go-to trial lawyer for companies seeking to resolve their most complex commercial matters involving patents, trademarks, copyrights, trade secrets, and other disputes.

The *Daily Journal* has named Timothy one of the Top Intellectual Property Lawyers and previously among the Top 40 Under 40 Lawyers in California. He has been recognized as an “Intellectual Property Trailblazer” by the *National Law Journal* and among *Benchmark Litigation’s* “Under 40 Hot List” of top attorneys in the U.S. for four consecutive years.

Among his recent victories, in 2019, Timothy served as co-lead trial counsel and achieved a complete defense verdict for his memory chip manufacturer client following a three-week federal jury trial in a \$175-million breach-of-contract lawsuit brought on behalf of Microsoft over the supply of DRAM chips for the Xbox One.

Due to his ability to understand complex technical concepts quickly and to solve complicated problems efficiently, Timothy has been sought out by clients across various industries, from emerging to global Fortune 500 companies, to handle their most significant technical matters. For example, his current representations include the defense of the world’s largest electronics contract manufacturer in an arbitration proceeding over atmospheric water generating technology, advising leading OTT streaming content providers in several patent-infringement disputes across the U.S., and representing a Fortune 150 biopharmaceutical company in a contract dispute involving immunotherapy research and drug development.

Before joining Bird Marella, Timothy spent two years as the head of international disputes for Korea’s largest entertainment and media conglomerate, CJ Entertainment & Media, in Seoul, Korea. Based on that experience, a substantial portion of his current practice involves assisting Asian companies in traversing cross-border disputes and advising entertainment and technology companies on defending and asserting their intellectual property rights in the U.S. For example, Timothy currently represents global K-pop stars BTS and their record label, HYBE, in copyright matters in the U.S.

REPRESENTATIVE CASES

Won copyright-infringement lawsuit on behalf of international K-pop sensation BTS and its label, HYBE Corporation. The plaintiff alleged that the idea for CJ E&M and HYBE's reality show *I-Land* was stolen from a written treatment for his original television series idea. The district court granted Timothy's first motion to dismiss without giving the plaintiff leave to amend—concluding that plaintiff's claims failed as a matter of law—and entered judgment in favor of Timothy's clients. *Bryan Kahn v. CJ E&M, BTS aka Bangtan Boys, and Big Hit Entertainment Company*, Case No. 2:21-cv-03230-DMG-KS (C.D. Cal).

In 2021, successfully defended world's largest electronics contract manufacturer as lead trial counsel in a ten-day JAMS arbitration hearing in Los Angeles, California involving atmospheric water generating technology.

Represented leading test prep and college consulting company in a trademark opposition action before the Trademark Trial & Appeal Board over a competitor's confusingly similar trademark registration, resulting in the express abandonment with prejudice of the competitor's mark. *Elite Education Group International Inc. v. Elite Educational Advisors, LLC*, TTAB Opposition No. 91270898.

Served as lead trial counsel to world's largest electronics contract manufacturer in a ten-day JAMS arbitration hearing in Los Angeles, California involving atmospheric water generating technology.

As co-lead trial counsel, achieved a complete defense verdict on behalf of his client SK Hynix, the world's second largest memory chip manufacturer, after a three-week jury trial in the Western District of Washington in a \$175-million breach-of-contract lawsuit brought on behalf of the Microsoft Corporation by its subsidiary insurer. *Cypress Insurance Co. v. SK Hynix America, Inc.*, Case No. 2:17-cv-00467-RAJ (W.D. Wash.).

As lead trial counsel, recovered millions on behalf of his LED-display manufacturer client Galaxia Electronics Co., Ltd. in a breach-of-contract case. Timothy successfully petitioned the court for a Right to Attach order—an extraordinary pre-judgment remedy that allowed Galaxia to attach millions' worth of defendants' assets, including bank accounts and inventories. After having its bank accounts seized, the primary defendant filed for Chapter 7 bankruptcy. Following a vigorous pursuit of the debtor in that bankruptcy action, including extensive document discovery and a Rule 2004 examination of the company's principal, Timothy was able to secure the recovery of several millions from the debtor's bankruptcy estate. *Galaxia Electronics Co., Ltd. v. Luxmax, U.S.A., et al.*, Case No. 2:16-cv-05144-JAK-GJS (C.D. Cal.).

Completely defended a \$50-million copyright-infringement lawsuit on behalf of his client CJ Entertainment & Media, Korea's largest media conglomerate, concerning the distribution of "K-pop" songs in the U.S. over the Beats Music platform. Prior to the commencement of extensive international discovery, Timothy was able to get the case dismissed in its entirety based on the doctrine of *forum non conveniens*, which the Ninth Circuit has noted is an "exceptional" remedy that is rarely to be used. *DFSB Kollektive Co. Ltd. v. CJ E&M, Inc., et al.*, Case No. 2:15-cv-01650-SVW-FFM (C.D. Cal.).

Defended ASRock America, a subsidiary of Taiwanese electronics contract manufacturer Pegatron Corporation, in a patent-infringement lawsuit involving high-performance WiFi routers, resulting in a favorable settlement for his client. *BE Labs, Inc. v. ASRock America, Inc.*, Case No. 2:19-cv-2637-JAK-AS (C.D. Cal.).

Successfully represented a large wireless retailer in a franchisee suit against a leading national wireless carrier. *Verity Wireless, Inc. v. Sprint Solutions, Inc.*, 2:20-cv-02841-DSF-MRW (C.D. Cal.).

Favorably resolved a global trademark dispute on behalf of his snack-food manufacturer client World Peas Brand, the maker of Peatos™, against Frito-Lay.

Successfully defended an individual client in a trade-secrets-theft case against a tech conglomerate, resulting in the plaintiff tech company taking a license on his client's patents (embodying the alleged trade secrets).

Served as trial counsel for leading wireless device manufacturer in a patent infringement investigation before the International Trade Commission, resulting in a determination of non-infringement and invalidity of the asserted patent. ITC Investigation (337-TA-794).

Successfully defended one of the largest American fashion retailers in a design copyright infringement lawsuit, obtaining a dismissal with prejudice before the close of fact discovery. *Gold Value International Textile, Inc. v. Forever 21, Inc.*, 2:15-cv-07207-PSG-KS (C.D. Cal.).

HONORS & AWARDS

Named Top Intellectual Property Lawyer by *Daily Journal*, 2022

Selected as "Legal Visionary," *Business of Law Magazine*, Los Angeles Times B2B Publishing, 2022

Recognized as Minority Leader of Influence: Attorneys by *Los Angeles Business Journal*, 2022

Named a Southern California Super Lawyer by *Los Angeles Magazine*, 2021

Recognized as Intellectual Property Trailblazer by *National Law Journal*, 2020

Selected for "Under 40 Hot List" by *Benchmark Litigation*, 2018-present

Named a Southern California Rising Star by *Los Angeles Magazine*, 2017

Named "Top 40 under 40" in California by the *Daily Journal*, 2016

AFFILIATIONS

Vice President, Board of Directors, LACBA Counsel for Justice

Member, Council of Korean Americans

Fellow, Leadership Council on Legal Diversity (LCLD), 2016

EVENTS

Presenter, "IP Issues in Pro Wrestling," The Judge Paul R. Michel IP American Inn of Court, March 2022

Speaker, "Managing Disputes as In-House Counsel," ALB Korea In-house Legal Summit 2014, November 2014

Speaker, "Creating a Successful International ADR Strategy," ALB International ADR Conference, July 2014

Panelist, "External Arbitrators Aiding In-house Counsel – Communication, Practice and Issues Needing Improvement," 4th Hong Kong International Arbitration Summit, May 2014

PUBLICATIONS

Author, "K-Pop to Parasite—Navigating South Korean Business Culture," *Bloomberg Law*, May 2020

Author, "Proliferation of Streaming Video Services Could Lead to Increased Regulations and Taxes on OTT Providers," *Daily Journal*, April 2020

Author, "How Streaming Video Cos. Are Challenging New Taxes," *Law360*, April 2020

FORMER POSITIONS

Senior Litigation Counsel, CJ Entertainment & Media, 2013-2015

Senior Associate, WilmerHale, 2011-2013

Associate, Gibson, Dunn & Crutcher LLP, 2007-2011

ADMISSIONS

California, 2007