



# Eric Roman

PARTNER

Eric, an experienced technology and intellectual property litigator, investigator, and regulatory compliance monitor, is a trusted advisor to C-suite executives, business leaders, and in-house counsel.



## Industries

[Media & Entertainment](#)

## Practices

[Complex Litigation](#)

[Copyright](#)

[Patent](#)

[Trade Secrets, Noncompetes & Employee Mobility](#)

[Trademark](#)

## International

[Japan](#)

## Languages

[Spanish](#)

[French](#)

## Education

Harvard Law School, JD, 1995

New York University, BA, 1990

## Offices

[New York](#)

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Eric's practice focuses on intellectual property and other complex commercial litigation. He has extensive experience with copyright, patent, and trademark disputes, and regularly represents clients in the software, data privacy, and computer security industries. He also works closely with the firm's media and entertainment group, litigating copyright disputes for clients in the digital media and entertainment industries.

### Complex Commercial Litigation

Eric represents publicly and privately held companies in connection with a wide variety of complex commercial and intellectual property issues, including contracts, licensing, corporate governance, cybersecurity, copyright, and trade secrecy.

### Investigations & Compliance

Eric previously led a ten-person team responsible for investigating and monitoring the BSA/AML compliance program of a major international bank as part of a monitorship mandated by the New York State Department of Financial Services. He oversaw the implementation of data privacy protection protocols for the monitorship team to ensure compliance with European laws and directives and supervised teams on-site at locations globally, including in France, Switzerland, the UK, Hong Kong, Singapore, and Dubai.

### Legal and Business Advisory

Eric provides legal and business advice to senior executives and management concerning mitigation and avoidance of risk of liability and business disruption caused by new product ventures, intellectual property infringement, and use of customer data in business and advertising. He routinely conducts internal presentations and training on data privacy compliance, maintaining effective trade secrecy programs, and cybersecurity incident response.

## Client Work

Eric has represented clients with respect to numerous high profile litigation matters, including:

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- Represented a fintech start-up in connection with cybersecurity breaches and misappropriations of trade secrets perpetrated by the client's former Chief Technical Officer.
- Defended an individual against a suit brought by the SEC under Section 206 of the Adviser's Act.
- Represented the developer of an artificially intelligent solution for performing automotive repair appraisals in connection with accusations that their data collection methods constituted a breach of contract and violation of data protection laws.
- Represented a top-10 pharmaceutical manufacturer in a \$45 million breach of contract dispute involving manufacturing, marketing, and trademark rights in the Southern District of New York.
- Defended a major digital music service in multiple copyright infringement litigations brought by songwriters and publishers relating to mechanical license requirements, leading favorable settlements.
- Represented the Official Committee of Unsecured Creditors in the bankruptcy of an educational content, technology, and services company, in which he assisted in the development and prosecution of a novel copyright strategy that placed the liens on all of the debtor's copyrights at risk, leading to a significantly increased recovery for the unsecured creditors.
- Defended an American progressive rock band in a copyright infringement case relating to album art and band merchandise, leading to a favorable settlement.
- Defended a prominent law firm in a copyright infringement case relating to computer software used to process specialized financial transactions, leading to a favorable settlement.
- Represented a subsidiary of a Japanese gifts and accessories manufacturer in a trademark infringement action relating to two of the brand's most prominent characters.
- Defended one of the world's largest exchange holding companies in a patent infringement action relating to automated options trading, leading to a favorable settlement.
- Defended a global telecommunications company in a patent infringement lawsuit relating to over-the-air activation technology, leading to a favorable settlement.
- Successfully defended an e-commerce software and hosting company in a patent infringement action involving click-through advertising technology, which resulted in a jury trial and ended in a hung jury, with no liability being found against the client.
- Represented a former a hotel and casino operator in one of the first in rem cases brought under the Anticybersquatting Consumer Protection Act.

## Previous Work

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Eric's past experience includes serving as an Assistant District Attorney in the New York County District Attorney's Office, working as a database developer in Silicon Alley, and serving as a field artillery officer in the United States Army.

## Publications, Presentations & Recognitions

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### Publications

- "Derivatives Patents: Strategies for Survival," *IP Litigator*, March / April 2006
- "Draft Free Trade Agreement of the Americas Would Require Significant Changes in United States Intellectual Property Law," *National Law Journal*, Oct. 27, 2003, co-written with J.D. Sullivan

### Presentations

- "*Aspex Eyewear v. Miracle Optics, Inc.* : A New Temporal Dimension to Determining Standing," 22nd Annual Joint Patent Practice Seminar, May 2006
- "The Use of Experts to Prove Obviousness," Practising Law Institute, Patent Litigation, 2006

### Recognitions

- Member of the National Hispanic Bar Association, the Copyright Society, and the New York

Intellectual Property Law Association

- Past co-chair of the Litigation Committee of the New York State Bar Association's Intellectual Property Law Section

## Life Beyond the Law

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Eric spends most of his free time playing very loud rock guitar, working on his cars, and finding new ways of automating things with his growing collection of Raspberry Pis.

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## Bar Admissions

[New York](#)

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## Court Admissions

[US District Court, Southern District of New York](#)

[US District Court, Eastern District of New York](#)