



## Allonn E. Levy

Partner

he/him/his

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Allonn Levy's favorite cases are those that other practitioners find daunting. Whether it's convincing a U.S. Supreme Court Justice to reverse her own order, tackling a two month trial with \$50 million in undocumented transactions, employing common-law real property concepts from the 1800's to obtain justice for minority, fractional property owners or taking down an international website infringing on his client's "doggy sunglass" business, Allonn likes a challenge. From e-commerce clients to individuals, software companies to multinational ISPs, to innovators and real-estate speculators, Allonn believes hard work, trust and loyalty are the key to fostering long-term relationships with his clients.

While most cases settle, Allonn has taken dozens of cases to trial, including at least ten multi-million dollar trials. In one such trial, he obtained a complete defense court judgment in a two-phase trial with at least \$400 million in documented damages.

Complementing his trial work, Allonn has also chaired a successful appellate practice group. He holds the California State Bar Association's Certification as a Certified Appellate Specialist, with experience before numerous intermediate State and Federal Courts of Appeal, the California Supreme Court and the United States Supreme Court.

Throughout his career, Allonn has been passionate about helping the legal profession improve diversity within its ranks. He is a proud founding member and long-time co-chairperson of legacy firm Hopkins Carley's DEI committee and a frequent participant in efforts to amplify the profiles and voices of groups traditionally underrepresented within the legal profession.

His cases involve:

### Areas of Focus

#### Services

[Appellate](#)

[Intellectual Property](#)

[Intellectual Property](#)

[Litigation](#)

[Litigation](#)

[General Business & Complex](#)

[Commercial Litigation](#)

[Financial Services](#)

[Trust & Estate Litigation](#)

[Navigating the Second](#)

[Trump Administration:](#)

[Executive Orders & the](#)

[Changing Legal Landscape](#)

#### Sectors

[Financial Institutions](#)

[Industrial & Manufacturing](#)

[Restaurant, Food & Beverage](#)

[Retail & E-Commerce](#)

- Intellectual property
  - Copyright infringement
  - Digital rights management
  - Cyber-jurisdiction
  - Trade secrets
  - Trademark/trade dress
  - Digital Millennium Copyright Act
  - Web-site takedown & domain name disputes
  - Communications Decency Act issues
  - Patent infringement
- Complex business disputes
  - Licensing & technology
  - Corporate management disputes and partnership dissolutions
  - Shareholder derivative actions
  - Fraud/fiduciary duty breaches/intentional interference claims
  - Racketeer Influenced & Corrupt Organizations (RICO) claims
  - Breach of contract & related disputes
  - Unfair business practices claims/Landham Act claims
- Complex civil appeals
  - State & federal appeals and writ petitions
  - Petitions for review to the California Supreme Court
  - Petitions for certiorari to the United States Supreme Court
  - Amicus representations at all levels
  - Appellate strategizing at trial (pre-appeal)

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## Experience

- **Reversed Discretionary Ruling on Anti-SLAPP Fees:** Successfully defended trial court's denial of an anti-SLAPP motion on both "threshold" identification and "public interest" bases. Successfully overturned trial court's discretionary denial of recovery of fees based on frivolous anti-SLAPP motion on cross-appeal. In a published opinion, the First District Court of Appeal found an "abuse of discretion" in the trial court's refusal to award fees.
- **E-Commerce Dispute Resolved:** Litigated multiple copyright, unfair competition and Domain Name disputes and counterclaims between two competing e-commerce companies. Successfully mediated a resolution that included a formal judgment in favor of plaintiff on all counts, dismissal of all counterclaims and re-assignment of all domain names.
- **Complex Probate Trial Success:** Successfully litigated multiple petitions set for trial involving \$30 million twin estates. Employed a phased approach to litigate a particular issue first, successfully resolving most issues and defending the decedent's will leaving all of his real estate empire to his long-time spouse.
- **Real Property Rights Vindicated:** After multi-week trial, secured a money judgment for more than \$6 million against a large property ownership group, together with declaratory relief securing real property rights for several family members in a multi-generational real property and fraud dispute. Concurrently obtained a fully defense judgment on all monetary and equitable cross-claims.
- **11th Circuit Social Media Precedent:** Provided *amicus* support for the *Netchoice* cases involving cross-over First Amendment and Social Media curating rights. After successfully setting precedent before the Eleventh Circuit, the case was combined with a similar Fifth Circuit case to form the basis of the Supreme Court's precedent in *Netchoice v. Paxton* and *Moody v. Netchoice*.
- **\$400 Million Business & Trustee Duty Trial Win:** Following Phase I of a multi-week trial involving complex business, shareholder and trust issues, obtained a complete "defense" judgment on a litany of substantive claims seeking over \$400 million in damages then successfully precluded Phase II of the trial on various fraud theories based upon findings made in the Phase I trial. The combined findings of Phase I and Phase II of the trials resulted in a complete defense judgment in favor of seven individuals and one corporation.
- **Positive Resolution of Copyright Action by Agreement:** Obtained a stipulated judgment of dismissal of all claims related to a copyright action involving complex GPL "open-source" issues and novel unfair competition theories involving two multi-national competitors.
- **Competing Agricultural Business and IP Disputes Resolved:** Obtained a successful negotiated resolution of two related cases involving shareholder derivative and direct action claims of breaches of fiduciary duty, corporate mismanagement, trademark infringement and conversion in a complex dispute involving a number of businesses, agricultural properties and vineyards.
- **Multi-Million Dollar Judgment in Multi-State Fraud Scheme:** Obtained a \$5.4 million judgment against multiple out-of-state defendants flowing out of a complex scheme of business fraud. Then prevailed on a short-cause court trial in Georgia domesticating that judgment to pursue the debtor there and defeating an array of counterclaims.
- **Summary Judgment on Copyright and Related Claims:** Obtained partial summary judgment in favor of a regional software manufacturer on copyright and breach of contract claims brought in the Northern District Court of California. The same motion also successfully secured a judgment of complete dismissal of all counter-claims brought against the software manufacturer.

- **Multi-Day Court Trial Success in Florida Bankruptcy Court:** Led successful \$19 million claim objection trial before the United States Bankruptcy Court in the Southern District of Florida, involving complex issues of California Civil Procedure, indemnity and business tort issues.
  - **Landmark Judgment in Napa Business Dispute:** Won \$14.8 million trial judgment for client in a large, complex business fraud case in Napa County, one of the largest verdicts ever to come out of that Court.
  - **Large Win in Complex Business Dispute:** Won \$5.8 million jury verdict for client including a finding of no liability on \$12 million in cross-claims, based on \$50 million in undocumented financial transactions.
  - **Multi-Million Dollar Arbitration Win:** Prevailed in a multi-million dollar court-ordered arbitration involving a complex business dispute relating to the dissolution of a business.
  - **Complex Trial on International IP issues:** Completed a 40-day, multi-million dollar, jury trial involving International Copyright claims, Trade Secrets and Business Torts.
  - **Successfully Litigation of Complex Database Protection Issues:** Involved in prosecuting and defending Copyright and DMCA claims relating to database copyright protection
  - **ITC Victory:** Successfully extracted client from a lengthy multi-party ITC investigation involving multiple claims of patent infringement while achieving a global resolution including the dismissal of pending patent infringement claims in the District Court of Texas.
  - **Landmark Supreme Court Involvement:** Retained by multiple U.S. and European groups and business leaders to file an amicus curiae brief before the United States Supreme Court in the precedent-setting patent case, *Bilski v. Kappos*.
  - **Landmark DMCA Litigation:** Worked on the very first trial to challenge the Digital Millennium Copyright Act in New York.
  - **Landmark Trade Secret/First Amendment Precedent:** Led two precedent-setting cases in California involving cyber-jurisdiction and the intersection of First Amendment and trade secret rights, prevailing on both, and establishing two important opinions creating Supreme Court precedent in California.
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## Credentials

### Education

- University of Santa Clara School of Law, J.D.
- California State University - Northridge, B.A., Business in the Cross-Cultural Environment

### Bar Admissions

- California (1996)

## Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court for the Northern District of California
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Central District of California
- All California State Courts

## Recognition

- Katherine & George Alexander Community Law Center, Diversity Leadership Award, 2020
- Santa Clara University School of Law, Diversity Award, 2016
- Silicon Valley Business Journal, *Top 40 Lawyers Under 40*, Multiple Years
- California Lawyer, *Lawyer of the Year*, 2003

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## Presentations

- **Allonn has spoken at:**
- RSA Security Conference
- LinuxWorld New York
- DVDPro
- 76<sup>th</sup> Annual Meeting of The California State Bar

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## Publications

- **Allonn has been quoted in:**
- *Copyright World*
- *e-Week*

- *Internet Daily*
  - *Los Angeles Daily Journal*
  - *Los Angeles Times*
  - *National Law Journal*
  - *New York Times*
  - *PC World*
  - *San Francisco Chronicle*
  - *San Francisco Daily Journal*
  - *San Jose Mercury News*
  - *The Marker*
  - *Washington Internet Daily*
  - *Washington Post*
  - **Allonn has been published in:**
  - *Copyright World*
  - *San Francisco and Los Angeles Daily Journals*
  - *Social Media Monthly*
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## Professional Activities

- Santa Clara County La Raza Lawyers Association
- IP Justice, Board of Directors

## Published Cases of Note

- *Littlefield v. Littlefield* (2024) 106 Cal. App. 5<sup>th</sup> 815—Affirming Anti-SLAPP in trust case and finding abuse of discretion under SLAPP-back cross-appeal.
- *In Re Cutuli*, 13 F.4<sup>th</sup> 1342 (11<sup>th</sup> Cir. 2021)—Extent of Bankruptcy Court’s discretion in expanding service limitations.
- *Vera v. Rel-BC et. al.* (2021) 66 Cal. App. 5<sup>th</sup> 5—Complex real estate issues and fraud allegations.
- *Wong v. Wong* (2019) 43 Cal. App. 5<sup>th</sup> 358—Anti-Slapp in trust cases.

- *In Re Cutuli*, 389 F.Supp.3d 1051 (M.D. Fla. 2019)—Bankruptcy Court jurisdiction and service.
- *Surfrider Foundation v. Martins Beach 1 LLC* (2017) 14 Cal. App.5th 238—Coastal Commission development determination.
- *Winchester Mystery House LLC v. Global Asylum Inc.* (2012) 210 Cal. App. 4th 579 — Determining legal standard for a First Amendment defense to a Title Trademark claim in California.
- *Hopkins & Carley v. Gens*, 200 Cal. App. 4th 1401 (2011), rev. denied, depub. denied March 14, 2012, S199114 — Civil Procedure, enforcement of arbitrator's judgment and award of sanctions in favor of Hopkins & Carley.
- *Manson v. Shepherd, et al.*, 188 Cal. App. 4th 1244 (2010) — Appeal from accounting of Trustee's allocation of a three million dollar corporate distribution.
- *Certain Semiconductor Chips With Minimized Chip Package Size And Products Containing Same* (ITC Investigation 337-TA-630. 2007-2008) — ITC action re small format BGA.
- *DVD Copy Control Ass'n v. Bunner*, 31 Cal. 4th 864 (2003) & *DVD Copy Control Ass'n v. Bunner*, 116 Cal. App. 4th 241 (2004) — Encryption and trade secret issues.
- *Pavlovich v. Superior Court*, 29 Cal. 4th 262 (2002), (stay vacated by O'Connor, J., U.S. Supreme Court Order No. 02A530) — Internet-based jurisdiction.
- *Universal City Studios, Inc. v. Reimerdes* (2600.com) 82 F. Supp. 2d 211, (S.D.N.Y., 2000). — DMCA litigation.

## Precedent Setting Amicus Curiae

- *Netchoice v. Attorney General, Florida*, 34 F.4th 1196 (11th Cir. 2022)—First Amendment right to moderate in social media setting.
- *Bilski v. Kappos*, 561 U.S. 593 (2010)—Determining permissible tests for process patents.

## Community Involvement

- Santa Clara University School of Law, Guest Lecturer: Civil Procedure, *Internet-Based Personal Jurisdiction*
- Santa Clara University School of Law Diversity Gala, Master of Ceremonies
- Addison-Penzak Jewish Community Center, Past President, Vice President & Finance Chairperson