



## Steven Wilker

### PARTNER

steven.wilker@tonkon.com  
503.802.2040 direct  
503.972.3740 fax

### LEGAL SERVICES

Business Litigation  
Intellectual Property  
Commercial  
Corporate/Finance  
Real Estate  
Debtor/Creditor  
Media Law Litigation & Advice

### EDUCATION

J.D., UCLA School of Law, 1990  
Order of the Coif

M.S.Ed., University of Pennsylvania, 1987

B.A., *cum laude*, University of  
Pennsylvania, 1986

### BAR & COURT ADMISSIONS

Oregon State Bar

State Bar of California

Washington State Bar Association

U.S. Supreme Court

U.S. Court of Appeals, 6th, 9th, 10th, and  
Federal Circuits

U.S. District Courts for the District of  
Oregon, the Northern, Central, Southern,  
and Eastern Districts of California, and  
the Western and Eastern Districts of  
Washington

U.S. Tax Court

U.S. Court of Federal Claims

Steven is Co-Chair of the firm's Litigation Department and its Information Privacy & Security Practice Group. He counsels clients in complex commercial litigation, intellectual property, media communications and technology, information security, energy, corporate governance, real estate, and finance issues. An AV-rated litigator, Steven is also a member of the firm's Intellectual Property and Financial Services & Investment Management practice groups.

He handles complex litigation in trial and appellate courts and in arbitration, and advises clients on transactional and information security matters as well. He represents clients in local, regional, and national matters.

Steven's extensive experience in intellectual property matters includes representing both plaintiffs and defendants in patent, trademark, copyright, and trade secrets litigation.

As an advisor to media, publishing and communications clients, such as KOIN-TV and EO Media Group, Steven addresses issues such as applicability of media shield laws, reporters' privileges, prior restraints on publication, defamation, invasion of privacy, news gathering methods, public records, public meetings, licensing, and copyright.

Steven advises clients regarding their information security and privacy issues, including compliance with data protection laws, appropriate responses to actual and potential breaches of data security, and providing notice to affected persons in accordance with applicable laws and regulations. He also advises clients on the mitigation of litigation risk in connection with incident responses. In addition, Steven serves as the firm's Information Security Partner and serves on the firm's internal IT Security Committee.

Steven has broad experience in securities litigation and arbitrations for issuers, brokers, and customers. He also has substantial experience in disputes concerning valuations, earn-outs, indemnities, and other issues arising out of corporate and financing transactions.

A strategic advantage Steven brings to his client's matters is his skill in presenting technical issues and financial data in an accessible and compelling manner.

After law school, Steven was a law clerk for the Honorable Stephen V. Wilson, United States District Court, Central District of California, and the Honorable Edwin J. Peterson, Chief Justice / Associate Justice, Oregon Supreme Court.

## AWARDS & RECOGNITION

### The Best Lawyers in America

2017, 2019, Lawyer of the Year –  
Litigation – First Amendment, Portland  
2013-2019, Commercial Litigation  
2013–2019, Litigation: First Amendment

### Portland Business Journal

2005, Forty Under 40

### Super Lawyers

2015-2018, Oregon Super Lawyer –  
IP Litigation  
2013–2014, Oregon Super Lawyer –  
Business Litigation

## PROFESSIONAL MEMBERSHIPS

Multnomah Bar Association

American Bar Association

Federal Bar Association

## COMMUNITY INVOLVEMENT & ACTIVITIES

### American Civil Liberties Union of Oregon, Inc. and ACLU Foundation of Oregon, Inc.

Board of Directors  
2010-2015, Vice President, Litigation  
2009-2015, Member

Lawyers Committee  
2010-2015, Chair  
2015-2017, Vice Chair  
2006-Present, Member

### Classroom Law Project

2018-Present, Vice Chair  
2014-Present, Board of Directors

### First Growth Children and Family Charities, dba Classic Wines Auction

2018-Present, Board of Directors

### Metropolitan Family Service

2015-Present, Investment Committee  
2010-2018, Board of Directors  
2017-2018, Immediate Past Chair  
2015-2017, Chair  
2013-2015, Vice Chair

### Oregon State Bar – Bar Press

#### Broadcasters Council

2005-2010, Member  
2008, Chair

## Representative Matters

*Ignite v. CamelBak* — Successfully defended CamelBak against claims for patent infringement. The Patent Trial and Appeal Board ruled that the patent claims alleged against our client were invalid. That decision was appealed to the Federal Circuit, which ruled in favor of CamelBak, too. The final patent issue that was pending in district court was ultimately dismissed with prejudice.

Confidential — Successfully represented local investment management firm in dispute with a Los Angeles based finance company concerning a structured finance transaction. The opponent sought more than \$20 million in compensatory damages plus additional punitive damages, alleging fraud and breach of contract. Successfully prosecuted Client's damages claims for more than \$1.8 million for breach of contract and non-payment of note obligations.

*PEBB v. OHSU* — Successfully pursued Oregon Health & Science University's right to recover a proportionate share of approximately \$25 million, including interest, received by the state from the 1999 demutualization of Standard Insurance Company.

*Cano v. Schreiner* — Obtained a favorable jury verdict for a retiring shareholder who challenged the appraisal value of his shares in several closely-held corporations.

*Guydish v. U.S. Bakery* — Defended successfully, in trial court and on appeal, a class action seeking unpaid overtime on behalf of route salesperson for a regional company.

## Presentations & Publications

"Social Media and Websites – IP Pitfalls and Cautionary Tales," September 2018

"Privacy Policies and the GDPR," June 2018

"Know Your Rights – Fair Use or Copyright Infringement?" Society of American Travel Writers, November 2017

"Legal and Moral Questions in The Nether," Third Rail Repertory Theatre, October 2016

"The Supreme Court Inside and Out," OSB Business Litigation Section, November 2015

Confidential — Sustained venue (after a full day evidentiary hearing) in federal action in Portland for a regionally-based client suing a company headquartered in the eastern United States, leading to a favorable resolution for the client.

*Watson v. Northwest Cascade* — Successfully defended a regional company facing claims for defamation, false advertising, trespass, and property damage.

*Walker v. Metro One* — Obtained damages for an investor at trial; successfully defended appeal.

*Praegitzer v. Andersen* — Defended successfully, at trial and on appeal, claims by one 50-percent shareholder against the other 50-percent shareholder for unjust enrichment, fraudulent conveyance, and breach of fiduciary duty.

*Bell Data v. Symbol Technologies Inc.* — Successfully defended a technology client accused of misappropriation, copyright infringement, and unfair competition by a software developer.

*Miller v. KOIN-TV* — Successfully defended KOIN-TV against claims that political advertising aired by the station was false and misleading.

Confidential — Achieved a favorable result in arbitration in the defense of a local, family-owned securities brokerage against claims of unauthorized and unsuitable trading.

"Presidential Security Trumps First Amendment: *Wood v. Moss*," Oregon Civil Rights Newsletter, OSB Civil Rights Section, November 2014

"Is Big Data Giving you a Big Headache?" OSB Corporate Counsel Section, October 2014

"Legal Issues with the Internet of Things and Drones," OSB Technology Law Section, October 2014

"Behind the Curtain: Inside the U.S. Supreme Court," U.S. District Court of Oregon Historical Society, September 2014

