



Tara C. Clancy

Partner

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OVERVIEW

Tara Clancy is a partner in the firm's Boston office, where she is a member of the cyber law and cybersecurity practice group. She concentrates her practice in complex technology litigation and provides clients with privacy compliance and cybersecurity preparedness counseling. She provides counseling on best practices in data management and developing privacy and security policies and procedures to meet changing regulatory requirements and assists clients in handling data breach responses and investigations. She has served as the lead counsel for numerous technology companies, including those in the fields of networking hardware and software, security and control systems, chemical compositions, nutritional supplements, heat transfer equipment, medical devices, ion implantation systems, and packaging. She has significant experience in all stages of litigation and has led patent cases to verdict in jury trials as well as bench trials. She is a partner in the intellectual property litigation practice where she shares global responsibility for the firm's IP litigation resources and strategy.

Prior to her legal career, Tara worked for the Procter & Gamble Manufacturing Company first as an engineer designing capital projects in the papermaking division and then as a business manager responsible for managing the people, pay, production, and profits in the industrial chemicals division. She has design and on the ground experience in mechanical and chemical manufacturing processes and information management systems.

As an experienced counsel to technology companies with the background of working in a multinational corporation, Tara knows how to leverage litigation, privacy, and security issues to meet business goals.

ACHIEVEMENTS

- Certified Information Privacy Professional/United States (CIPP/US), International Association of Privacy Professionals
- Certified Cybersecurity: Managing Risk in the Information Age, Harvard University (VPAL)
- Top Women of the Law Honoree, *Massachusetts Lawyers Weekly*

PROFESSIONAL / CIVIC ACTIVITIES

- Adjunct Professor of Law at the Fletcher School of Law and Diplomacy, Tufts University, Medford, Massachusetts. Teaches a class on international intellectual property law and policy focusing on managing global patent strategies. (2008 -- Present).
- Member K&L Gates Trial Academy
- Chair Associate Development Committee, Boston Office of K&L Gates

SPEAKING ENGAGEMENTS

- Speaker, "New England Innovates: On the Front Lines of Cybersecurity," *New England Council*, October 2019
- Speaker, "Cybersecurity: Confronting Threats & Safeguarding Energy and the Environment," *Environmental Law Institute*, September 2019
- Speaker, "CFPB Updates Regulation P Instituting Certain Exceptions From Annual Notice Requirements," January 2019
- Speaker, "Enforcing University and Institution Patent Rights in Today's Challenging Environment," June 2016
- Speaker, "Hot Topics in Patents and IP for Technology Companies," June 2010
- "Here We Go Again - Proposed reforms to the patent system promise lawyers more reasons to litigate (with Thomas F. Holt, Jr.)," *Legal Times*, July 11, 2005
- Court Considers Copyright Extension, Mass High Tech, October 2003

EDUCATION

- J.D., Suffolk University Law School, (*cum laude*; *Technical Editor*, *Suffolk University Law Review*)
- B.S., Lafayette College, (*Mechanical Engineering*)

BAR ADMISSIONS

- Bar of Massachusetts
- United States Patent and Trademark Office

COURT ADMISSIONS

- United States Court of Appeals for the Federal Circuit
- United States District Court for the District of Massachusetts
- United States District Court for the Western District of Pennsylvania

THOUGHT LEADERSHIP POWERED BY HUB

- 2 September 2020, California Prepares for Potential Overhaul of Privacy Laws: The California Privacy Rights Act Qualifies for the General Election Ballot (*Alerts/Updates*)
- 2 June 2020, COVID-19: Products and Solutions for Employers Navigating Reopening (*Alerts/Updates*)
- 29 April 2020, COVID-19: U.S. Employer Checklist: Re-opening Strategies and Return to Work Policies After COVID-19 Outbreak (*Alerts/Updates*)
- 31 March 2020, COVID-19: No Impact on 1 July Enforcement Date Set For California Consumer Privacy Act of 2018 (CCPA) (*Alerts/Updates*)
- 26 March 2020, COVID-19: System Security With a Remote Workforce (*Alerts/Updates*)
- 9 March 2020, Misappropriators Beware: *Motorola* Court Embraces Extraterritorial Application of the Defend Trade Secrets Act (*Alerts/Updates*)
- 26 September 2017, Emerging Trends in Defend Trade Secrets Act Litigation (*Alerts/Updates*)

OTHER PUBLICATIONS

- Court Considers Copyright Extension, *Mass High Tech*, October 2003

AREAS OF FOCUS

- IP Litigation
- Biometric Data Compliance and Defense
- Complex Commercial Litigation and Disputes
- Data Protection, Privacy, and Security
- K&L Gates Trial Academy

REPRESENTATIVE EXPERIENCE

- *Shurtape Technologies, LLC et al. v. 3M Company (W.D.N.C.)* - Served as lead counsel for Shurtape in a patent and trademark infringement action concerning innovative painter's tapes. The case settled favorably after claim construction and expert discovery.
- Represent Fiberon in various patent and trademark matters including clearance studies, license negotiations, technology agreements, and portfolio management.
- *Kyotocooling North America LLC v. Nortek Air Solutions LLC (N.D. Tex.)* - Served as lead counsel for NAS in a patent infringement action concerning data center cooling systems. The case settled favorably before trial.

- Represented Nortek in various matters concerning home security products including patent clearance studies, pre-suit investigations, advertisement review, and license and technology contract negotiations.
- *ConAgra v. Archer Daniels Midland Company* (D. Kan.) - Served as lead counsel for ADM in a patent infringement case regarding patents involving food processing of whole wheat flour. Plaintiff dismissed its complaint after claim construction and completion of expert discovery.
- Represented software company on various privacy and security issues including notification requirements.
- *CPG International LLC v. Fiber Composites, LLC* (D.Del) - Served as lead trial counsel in a patent infringement action involving composite railing products. Case settled prior to trial.
- *GT Advanced Technologies v. Poly Plant Project Inc. et al.* (D.N.H.) - Lead counsel representing GTAT, a technology company producing advanced materials for the global solar, LED, and electronics industries, in a trade secret action concerning polysilicon reactors. The case settled favorably before trial.
- Represented RiverBank in a trademark infringement action concerning its name in the D. Mass. and obtained summary judgment of no infringement.
- *Ergotron, Inc. v. Humanscale* (D. Minn.) - Served as lead counsel for Ergotron in a patent infringement action concerning ergonomic desks. Obtained favorable settlement prior to trial.
- *International Code Council v. National Fire Protection Ass'n* (N.D. Ill.) - Represented NFPA in a copyright infringement action. The dispute settled favorably prior to trial.
- *DSM IP Assets B.V. v. Archer Daniels Midland Company* (N.D. Ill.) - Served as lead counsel for ADM in a patent infringement action concerning its astaxanthin product for fish feed. The case settled prior to trial.
- *Archer Daniels Midland Company v. Sabinsa Corp.*(D.N.J.) - Served as lead trial counsel for ADM in a patent infringement action involving nutraceuticals. Defendant agreed to entry of consent judgment that the asserted patents were valid and infringed.
- *Sears v. Archer Daniels Midland Company* (N.D.N.Y) - Served as lead trial counsel for ADM in a two week jury trial in a patent infringement case regarding chemical de-icers. The jury returned a defense verdict of no infringement.
- Represented ADM in various patent matters regarding clearance studies, license negotiations, and pre-suit investigations.
- *Portola Packaging v. Consumer Cap Corp.* (W.D. Pa.) - Represented Portola in patent infringement action concerning tamper evident bottle caps. Case settled prior to trial with favorable terms for Portola.