

Promotion

As Seen In... *Forbes*, November 24, 2008

'Clients Come First' for Aggressive Litigator and Trial Lawyer

In Alex Weingarten's experience, successful litigation is like a game of chess. "You have to always be thinking several steps down the line," he explains. "You need to anticipate the consequences of every move and plan accordingly."

It's a strategy that has worked extremely well for the Los Angeles "Super Lawyer," whose recent successes have included an \$18 million settlement for the owner of the largest independent film vault in Los Angeles and a landmark Supreme Court ruling on entertainment law.

Weingarten, a founding partner of litigation boutique Spillane Weingarten LLP, focuses on business litigation with an emphasis on entertainment and intellectual property matters. A veteran of many trials in state and federal court, he has represented a broad range of clients, from *Fortune* 100 companies to startup businesses to high-profile artists and their representatives.

Weingarten prides himself in being an aggressive litigator and trial attorney who is "ready, willing and able to take a case to trial" if circumstances warrant. But, he says, while there's a time for "beating the other side to submission," negotiation and cooperation are often the best approach.

As an example of the latter, he cites a current case that has evolved from "negotiating the resolution of a litigation to negotiating the start of a business relationship" between two former adversaries. It's a matter of doing what's best for the client, he says, rather than automatically "throwing 30 lawyers on a case."

Entrepreneurial Problem Solver

A graduate of UC Berkeley and Georgetown University Law Center, Weingarten began his legal career in the Los Angeles office of Manatt, Phelps & Phillips, LLP. But after five years, his "entrepreneurial side" won out, and he decided to move to a smaller firm, with the goal of eventually starting his own practice.

Weingarten joined Fox & Spillane, where he met his current partner, Jay Spillane, in 2004. The two litigators, who share a dedication to providing "superior, cost-effective" legal services for small and midsize businesses, formed Spillane Weingarten LLP this fall. "Our goal," Weingarten says, "is to be the



Alex Weingarten has been named a 2008 "Rising Star" in entertainment, intellectual property and business litigation by Southern California *Super Lawyers*.

premier litigation boutique in Los Angeles, in California and even nationwide."

Nearly five years after leaving large-firm life behind, Weingarten counts himself among the happy few who truly love what they do. "I love the intellectual stimulation of working with dynamic, creative people on a wide range of fascinating cases," he says. "I love partnering with clients to come up with creative solutions to their problems, even if that means a solution that's less profitable for the firm in the short run.... When you put your client first, everything takes care of itself."



Taking on a Corporate Behemoth – and Winning

Can a color be trademarked? Can a major car manufacturer stop a toymaker from making red toy motorcycles?

A recent case, which ended in a significant confidential settlement on behalf of Weingarten's client, the toy manufacturer, hinged in part on these thorny questions. The client stood to lose millions of dollars in a licensing dispute with Honda.

"In limited cases, colors can be trademarked," Weingarten says. "Barbie pink is a trademark. UPS brown is a trademark. But Honda's claim that only they had the right to make red motorcycles was preposterous."



SPILLANE WEINGARTEN LLP

1800 Century Park East, Suite 600

Los Angeles, CA 90067

(310) 295-1795 (phone) • (310) 388-0464 (fax)

www.spillaneweingarten.com