

John A. Burlingame

Partner

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About John

John Burlingame is global co-chair of our Litigation Practice and an experienced trial lawyer. For over 30 years, he has worked extensively on high-value, high-profile matters in federal and state courtrooms and before arbitration panels. He also represents clients before committees of the US Congress, federal and state enforcement agencies, and grand juries. His experience as lead trial counsel spans a range of subjects, often involving matters of science and technology, complex business litigation and cross-border jurisdictional disputes.

John has routinely overseen the efforts of public relations professionals working on his clients' behalf, as many of his matters have been the subject of national media attention. Since 2022, *Lawdragon* has named him among the 500 Leading Litigators in America. He has also been named among the Legal Elite by the readership of *Washington SmartCEO* and been repeatedly recognized as a Washington DC and Virginia Super Lawyer.

Before becoming the global litigation co-chair, he served for eight years as the managing partner for the firm's Washington DC office. Through his leadership, he helped to transform the Washington DC office into the firm's largest office.

Experience

- Representing a former Speaker of the US House of Representatives in connection with congressional and grand jury investigations.
- Representing former Executive Branch officials before the Select Committee to Investigate the January 6th Attack on the US Capitol.
- Representing senior FDIC officials in congressional investigation.
- Lead trial counsel in mass tort, multi-district litigation (MLD) litigation involving multiple jury trials.
- Representing the Republic of Croatia in US federal court enforcement action arising from a billion-dollar Energy Charter Treaty dispute.
- Representing overseas political entities to obtain reversal of a multimillion-dollar judgment based on the absence of US jurisdiction.

- Representing an overseas company to successfully dismiss claims in a US federal court based on the absence of US jurisdiction following extensive jurisdictional discovery.
- Representing LeBron James in several different federal and state court lawsuits over the years and successfully having the courts dismiss each of the lawsuits against the NBA superstar.
- Representing America's sugar cane growers, sugar beet farmers and refiners of natural sugar in a federal false advertising lawsuit against manufacturers of high-fructose corn syrup (HFCS) and their trade group, the Corn Refiners Association, for falsely advertising that the various formulations of HFCS are "natural," that "your body can't tell the difference" between HFCS and sugar, and that HFCS is "corn sugar."
- Resolving a federal false advertising case on behalf of an industry trade association and several of its members against a key competitor after prevailing on pretrial motions.
- Acting as lead trial counsel for a major industrial equipment manufacturer in an action involving claims of patent inventorship, fraud, breach of contract, breach of fiduciary duty and antitrust violations. He successfully moved to dismiss all claims except the claim of inventorship. The district court also agreed that the opposing parties should not be able to pursue discovery on the issue of damages until the inventorship issue was resolved. This discovery ruling allowed the company to avoid the type of burdensome and expensive discovery strategy the opposing parties had hoped to pursue. Following discovery, the district court granted summary judgment. Following oral argument, the US Court of Appeals for the Federal Circuit affirmed the summary judgment ruling.
- Acting as lead trial counsel for Eaton Corporation in the defense of a patent infringement action accusing Eaton's top-selling truck transmissions of infringing a patent held by Meritor Transmission. Secured a summary judgment of noninfringement on all claims and successfully argued the appeal before the US Court of Appeals for the Federal Circuit.
- Arguing a successful appeal before the Supreme Court of Virginia vacating a multimillion-dollar arbitration award on jurisdictional grounds.
- Acting as lead trial counsel for a major industrial equipment manufacturer accused of violating a patent-marking statute on the alleged basis that the products were not patented and not covered by pending patent applications. Following a summary judgment hearing, a federal court in Massachusetts dismissed all claims.
- Acting as lead trial counsel in a breach of contract dispute between two major telecommunications companies and secured a multimillion-dollar award following trial.
- Acting as lead trial counsel for an international manufacturer of train locomotives and securing a complete defense verdict following trial.
- Acting as lead trial counsel for a major investment bank seeking to prevent use and disclosure of its trade secret information. Following a lengthy arbitration hearing, a panel of three arbitrators found in favor of the bank and awarded monetary damages.
- Representing major international clients in investigative proceedings, including before the Federal Trade Commission and in worldwide patent licensing negotiations.
- Representing a national floor cleaning products manufacturer in defense of patent infringement and unfair competition claims. Following a weeklong evidentiary hearing, the court denied the plaintiff's request for a preliminary injunction.
- Defending an integrated computer, communications, and consumer electronics company in a patent infringement action regarding computer technology.
- Representing a manufacturer of high-speed internet technology devices in a patent infringement action.

- Representing a plaintiff in a patent infringement and trade secrets misappropriation action regarding a method for repairing core shrouds of nuclear reactors.

Credentials

Education

- University of Richmond, J.D., notes and comments editor, *University of Richmond Law Review*, 1991
- Virginia Tech, B.A., 1987

Admissions

- Virginia, 1991
- District of Columbia, 1997

Courts

- U.S. Ct. of App., District of Columbia Circuit
- U.S. Ct. of App., Federal Circuit
- U.S. Ct. of App., Second Circuit
- U.S. Ct. of App., Fourth Circuit
- U.S. Dist. Ct., Dist. of Colorado
- U.S. Dist. Ct., Dist. of Columbia
- U.S. Dist. Ct., Dist. of Maryland
- U.S. Dist. Ct., C. Dist. of Illinois
- U.S. Dist. Ct., E. Dist. of Michigan
- U.S. Dist. Ct., E. Dist. of Virginia
- U.S. Dist. Ct., W. Dist. of Virginia

Recognitions

- Recommended for Commercial Litigation, False Advertising and Unfair Competition law in the *Lawdragon 500 Leading Litigators in America 2022-2026*.
- Repeatedly recognized as a Super Lawyer – Business Litigation – in both Washington, DC and Virginia.
- Named part of the Legal Elite by the readership of *Washington SmartCEO*.
- Lectured on matters such as the effective use of expert witnesses and developments in intellectual property law.
- Guest lecturer at the University of Colorado School of Law on the subject of false advertising.

Expertise

Services

- Litigation
- Public Policy
- Government Investigations & White Collar

Industries

- Advertising, Media & Brands

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.