



Ben West - Attorney

Mr. West represents clients in all aspects of commercial litigation, focusing particularly on intellectual property matters involving trademarks, trade secrets, copyrights, and patents. In addition, Mr. West has handled a wide variety of commercial litigation matters in state and federal courts, including disputes involving the Uniform Commercial Code, non-compete agreements, rights of publicity, false advertising, securities, antitrust, and personal injury.

Mr. West represents clients in the solar industry including installers and companies offering residential solar finance and efficiency home improvement finance. Mr. West's work for clients in the solar industry includes advising on California state regulatory compliance and representation of clients before courts, regulatory agencies, and alternative dispute resolution tribunals.

Representative Matters

- Part of the trial team that obtained a \$677 million dollar class-action verdict following a six-month jury trial against the owner and operator of skilled nursing facilities in California. The verdict was the largest nationwide in 2010 and was recognized by both the Los Angeles and San Francisco Daily Journal as a top plaintiff verdict in California in 2010.
- Achieved a unanimous jury verdict on behalf of a furniture manufacturer in a case against its lumber supplier. The client was awarded nearly \$5 million in damages for breach of contract, breach of the implied warranties, and violation of the federal Consumer Products Safety Act.
- Achieved a unanimous jury verdict of \$1 million in damages on behalf of a client who suffered personal injuries when a delivery truck negligently backed over the client.
- In a multi-day arbitration, successfully represented a client accused of breaching a non-compete agreement. The arbitrator absolved client of all accused wrong doing and awarded client his attorneys' fees.
- Part of the trial team that obtained a multi-million dollar trade secret verdict for a client whose former employees stole valuable trade secrets and established a competing business.
- Counsel to a New York-based law firm alleged to have engaged in the unlawful practice of law in California while conducting an investigation related to the City of San Diego's pension fund crisis.
- Counsel to a major American brewer in a case alleging trade dress infringement and copyright infringement.

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- Achieved the dismissal of antitrust claims against a group of physicians in an action based on a decision of a Northern Nevada hospital to regulate certain types of surgical procedures.
- Achieved the dismissal of antitrust claims against a trade association in an action based on practices in the bowling industry.
- Successfully represented homeowners in litigation against the developer of a major Las Vegas casino.

Awards

- San Diego "Super Lawyers" Business Litigation (2014-2015)

Affiliations

- California and Nevada State Bars
- U.S. District Court, Southern and Central Districts of California; District of Nevada
- Ninth Circuit Court of Appeals
- United States Court of Federal Claims
- San Diego County Bar Association
- Association of Business Trial Lawyers
- Hon. J. Clifford Wallace Chapter, Inns of Court (Barrister)

Education

- B.A., Brigham Young University (1998)
- J.D., Brigham Young University, Order of the Barristers (2002)