

**Jia-Ming Shang**  
**Associate, San Francisco, California**

Antitrust & Unfair Competition  
 Class Action Litigation  
 Complex Commercial Litigation  
 Intellectual Property



**JIA-MING SHANG**

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### Current Scope of Practice

Jia-Ming "Jimmy" Shang is a complex commercial litigation attorney with particularized experience in the subjects of antitrust, unfair competition, and intellectual property. He has represented multiple Fortune 500 companies on a range of matters, including price fixing, false advertising, product recalls, food labeling and infringement of trademarks and copyright. Because many of Mr. Shang's cases have involved class actions, he has significant experience on the unique aspects of class action complaints, ethical considerations in class actions, class certification, preliminary and final approval of class settlements, dissemination of notice to class members, and responding to objectors. Before joining Sedgwick, Mr. Shang practiced at the Los Angeles office of an international law firm.

### Affiliations, Activities and Accomplishments

Mr. Shang is admitted to the United States Ninth Circuit Court of Appeals and the U.S. District Court in the Northern, Central, and Southern Districts of California. He is admitted to the state bar of California and a member of the American Bar Association's and California Bar Association's Section of Antitrust Law.

### Representative Matters

- Prosecuted a treble damage antitrust class-action suit against a national bar review provider for monopolization and conspiracy to divide markets, resulting in a \$49,000,000 cash settlement.
- Defended range of companies on a spectrum of intellectual property disputes including: trademark infringement based on comparative advertising and use of trademarked term on search engines, copyright and patent design infringement of artistic glassware, and trade secret misappropriation of secret animal vaccine development method.
- Provided advice and counsel with respect to remedial steps needed to minimize further liability for a major shipping company targeted by a U.S. Department of Justice antitrust probe.
- Defended Northern California based construction company against allegations of price fixing and bid rigging in violation of antitrust laws.

- Defended a food processing company against simultaneous class actions in federal and state court based on claims under California unfair competition (Bus. & Prof. Code section 17200) and false advertising. Settlement was significantly below cost of litigation.
- Defended minority member of a solar technology LLC facing allegations of breach of fiduciary duty and breach of contract and prosecuted similar counter-claims against LLC's majority members.
- Represented large, Silicon Valley-based computer chip manufacturer in patent infringement action filed in the Northern District of California. Summary judgment was granted in favor of defendant following successful challenge to validity of plaintiff's patent for lack of novelty.
- Obtained a \$1.2 million prejudgment attachment order on behalf of a pharmacy against health care provider arising from breaches of implied covenants contained in sale of business agreement.

### Publications

- "Trademark Infringement Claims Based on Nominative Use Get Boost from Circuit Court Ruling," co-author, *Intellectual Property & Technology Law Journal* (August 2011).
- "Generic Biologics Legislation Moves Forward in the House and Senate," Sedgwick's *Issue Tracker* (September 22, 2009).
- "A Review of Developments in the Assault on Reverse Settlements, Including a Major Change in DOJ's Position," Sedgwick's *Issue Tracker* (July 31, 2009).
- "California Supreme Court Lowers Bar for Bringing Class Actions Under Unfair Competition Law," *Sedgwick Class Action Alert* (May 21, 2009).
- "Is Water Product's Marketing Illegally "Unfair" Under California Law?," *Washington Legal Foundation*, March 13, 2009; reprinted in *Andrews Class Action Litigation Reporter*, 16 No. 3 Andrews Class Action Litig. Rep. 2 (April 23, 2009).
- "The Other Drug War," *Daily Journal* (March 4, 2009).
- "Exemption Exceptions," *Daily Journal* (March 3, 2009).
- Contributor to American Law Institute treatise *Antitrust: Questions, Answers, Law, and Commentary* (3rd. Ed. 2007).

### Education

Mr. Shang received his J.D. (2004) with a concentration in International Law from the University of California, Hastings College of the Law where he served as the Notes Editor of The Hastings Law Journal. He received his B.A. (2001) in Economics and International Relations from Claremont McKenna College where he was awarded the Keck Award for Outstanding Senior Thesis in International Relations.

Other

Mr. Shang is fluent in Mandarin Chinese.