

Stephen M. Hankins

Partner

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Steve Hankins tries cases involving intellectual property, employment, and other disputes.

Steve was hooked on trial advocacy right after college when he worked with a group of busy personal injury trial attorneys. There were many trials, each one requiring empathy, creativity, forensic legwork, and nuanced advocacy. Raised by English teachers and artists, these skills come naturally to Steve. After 25 years of practice, Steve still enjoys more than anything else the careful preparation and fast pace of a hard fought controversy in trial before a jury.

Steve also was destined to be a founding partner at RSHC. While he received excellent training at a larger firm as a young lawyer, Steve thrives in the nimble, no-nonsense, efficiencies that a smaller firm offers. He demands from himself and each team he assembles the highest level of exceptional lawyering required by sophisticated clients, their adversaries, and the courts where their matters are resolved. Prior to founding RSHC, he served as managing partner, practice group leader, and management committee member.

Steve has tried or argued on appeal over twenty cases in jurisdictions across the country, and he has first-chaired a range of cases involving fraud, antitrust, intellectual property, and employment claims. He serves as outside general counsel to several companies, advising them on a wide range of matters, including international intellectual property enforcement, government investigations, and employment counseling and litigation.

Steve is committed to serving the underserved in employment and civil rights matters. He loves competition and endurance sports, completing four ironman distance races.



EXPERIENCE

Representative Engagements – Intellectual Property

- Steve represents a major mobile phone and PC manufacturer in patent disputes in all jurisdictions and the ITC.
- He leads a team of RSHC attorneys in a secondment engagement for a \$43 billion company where they oversee all of the company's litigation docket.
- He represented a Fortune 50 imaging company for many years defending and bringing patent, copyright, trademark, and trade secret claims.
- He secured injunctive relief and recovery of lost profits and fees for clients claiming patent infringement, including in the Eastern District of Virginia.
- He is an accomplished appellate advocate, having argued cutting edge issues involving patentability under Section 101 and Alice in both district courts and the Federal Circuit.

- Steve regularly represents clients in the medical device industry for patent litigation – offensive and defensive – and for general counseling on portfolio management and strategies for assertion of IP rights in ways that maximize ROI.
- Steve has tried, arbitrated, or successfully resolved patent infringement matters in the pharmaceutical, heavy machinery, water filtration, computer device, computer method, and printing industries.
- Steve has successfully defended copyright cases involving software, motion pictures, and sales literature.
- Steve has successfully defended or brought claims of trademark infringement involving air filtration, credit cards, and the food industry.
- Combining his expertise for employment and IP law, Steve has defended or prosecuted a number of matters involving departing employees, including securing or opposing emergency injunctive relief.

Representative Engagements – Employment

- For over 20 years Steve has represented a multi-national Fortune 200 company defending all claims of discrimination and harassment, from wage and hour, to age, disability, religion, race, gender, and sexual orientation.
- For a number of clients, Steve has defended claims of wrongful discharge involving retaliation, whistleblowing, breach of contract, fraud, and unfair business practices. He handled the first cyber-harassment/retaliation case in California in the 1990s.
- In labor matters, Steve has trained on avoidance strategies involving efforts to organize at his clients; he has represented organized employers when they are between bargaining agreements, and there is disruption requiring injunctive relief.
- Often able to resolve matters early, Steve’s team has won on the pleadings or summary judgment phase claims of discrimination based on gender, disability, medical leave, and age.
- When unable to win the matter early, Steve’s team either resolves the matter before trial or wins it at trial. For example, Steve secured a defense verdict and hung jury on claims of whistleblowing linked with price fixing. He won an arbitration of claims of fraud, beating an offer of settlement, and recovering costs for his client.
- Steve has arbitrated numerous matters brought pursuant to collective bargaining agreements and handled related Unfair Labor Practice claims.
- He has counseled and tried matters for clients contesting OSHA violations.
- He has argued appeals involving OSHA, discrimination, and NLRA claims.

Representative Engagements – Other Litigation

- Steve has represented clients under government investigation for matters involving workplace safety, SEC rules and regulations, and the Foreign Corrupt Practices Act.
- He has represented individuals bringing and defending claims relating to their employment and involvement in compliance investigations, including in house attorney whistleblowers.
- He has tried to successful resolution matters involving construction defect, personal injury, toxic tort, and premises as well as product liability claims.
- He is frequently asked to represent clients in fraud, unfair competition, and antitrust disputes often related to other claims of wrongful discharge (employment) or infringement/theft (IP).

CREDENTIALS

Education

University of California - Davis - School of Law, J.D., 1991, *highest honors, Order of the Coif*,
Articles Editor, *U.C. Davis Law Review* (1990-1991)
Vassar College, B.A., English and Art History, 1985

Bar Admissions

California
U.S. Supreme Court
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. District Court for the Central District of California
U.S. District Court for the Eastern District of California
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Western District of Texas

Professional Memberships

Bar Association of San Francisco
Barristers Club
Securities and Antitrust Committee, Past Chair
Federal Bar Association
Section of Intellectual Property and Communications Law
Intellectual Property Owners Association
San Francisco Bay Area Intellectual Property American Inn of Court
State Bar of California
Section of Intellectual Property Law

Teaching Appointments

Adjunct Professor of Law, University of California, San Francisco – Hastings College of the Law,
Intellectual Property Law (Spring 2019)

Honors & Awards

Top 500 Employment Lawyers in America, *Lawdragon* (2020)
Litigation Counsel of America, Fellow (2019)
Top Rated Litigators, *Martindale-Hubbell and ALM* (2018-2021)
IP Star, *Managing Intellectual Property Magazine* (2015, 2016)
Northern California Super Lawyers, *Thomson Reuters* (2013-2016, 2020-2021)
IP Star Euromoney Managing Intellectual Property Magazine, *Euromoney Institutional Investor*
(2013, 2014)
Peer Reviewed AV® Preeminent™, *Martindale-Hubbell* (Since 2002)

PUBLICATIONS & PRESENTATIONS

- “Creating a Roadmap to Success: Five Questions Every Change Champion Should Ask,” (co-author) *Corporate Counsel* (November 27, 2018)
- “The Evolution of Damages is About to Begin,” Pressure to Monetize: Are We All Becoming Patent Trolls? IP Counsel Café, Palo Alto, CA (April 25, 2013)
- “Patent Litigation 101 – Strategies Every In-House Lawyer Must Know,” From Trouble to Trial to Triumph, The Network of Trial Law Firms, San Diego, CA (November 2012)
- “Examining the Potential Ramifications of Patent Reform on Hatch-Waxman Litigation and the Brand/Generic Wars,” Patent Reform for Life Sciences Companies, New York, NY (February 2012)
- “Damage Calculations,” Seventh Annual Intellectual (IP) Counsel Forum, ALM Events, San Jose, CA (March 2011)
- “Throwing Down the Gauntlet: The Paragraph IV Notice Letter – Delivery and Receipt,” Paragraph IV Disputes West, San Francisco, CA (December 2010)
- “Discovery Strategies and Pre-Trial Maneuvering Tactics for Brand Names and Generics,” Fourth Annual Paragraph IV Disputes: Expert Insights on Hatch-Waxman Litigation Strategies for Brand Names and Generics, New York, NY (April 2010)
- “The Future of the Practice of IP In-House,” Sixth Annual IP Counsel Forum, San Jose, CA (March 2010)

COMMUNITY SERVICE

Vassar College, Board of Trustees, Alumni Association Board President
YMCA of San Francisco, Board of Directors
University of California, Hastings College of the Law, Adjunct Faculty Member