



Courtney Curtis-Ives

Overview

Partner Courtney Curtis-Ives is a co-chair of our Professional Liability Practice Group. She defends a broad array of professionals in complex errors and omissions claims that arise from the performance of their duties. In particular, she focuses her practice on defending attorneys in malpractice actions, ranging from boutique firms to larger-sized, national law firms. From her initial consultation all the way through to court hearings and appeals, she prides herself on protecting her clients' licenses and their careers. She has handled matters for her lawyer clients arising from nearly every field of legal practice, including intellectual property and entertainment litigation, probate, estate planning and family law, bankruptcy, and employment litigation.

Ms. Curtis-Ives navigates clients through complex legal issues and crafts strategies and approaches designed to achieve the best possible outcome. She assists all her clients proactively, often during litigation, to prevent or protect against further claims by conducting risk evaluations and offering them risk-management advice and guidance. When necessary, Ms. Curtis-Ives will aggressively defend clients through arbitration, trial and/or appeal. Ms. Curtis-Ives also handles State Bar investigations for her lawyer and law firm clients.

An experienced litigator, she has prevailed in a multitude of binding arbitrations and lawsuits, avoiding hundreds of millions of dollars in damages against her clients. Additionally, she handles attorney-client fee disputes and has prevailed in numerous anti-SLAPP (Strategic Lawsuits Against Public Participation) motions. Ms. Curtis-Ives has presented oral arguments at the Second District Court of Appeal in California and litigates cases through trial and appeal. She provides thought leadership by writing articles and conducting webinars, and each year is named to Super Lawyers® Southern California, since 2016.

Prior to joining Kaufman Dolowich, Ms. Curtis-Ives was co-founder of a boutique law practice, where she defended clients in cases focusing on trade secret misappropriation, copyright, trademark and patent infringement, false advertising, defamation, and unfair competition claims.

Admissions

- California

Education

- Southwestern Law School, J.D., cum laude



Partner
Co-Chair of Professional Liability Practice Group

Contact Information

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Related Practices

- Professional Liability/Errors and Omissions - Defense
- Lawyers
- Real Estate Professionals
- Securities Industry Professionals
- IP Litigation

- California State University, Long Beach, B.S., cum laude

Experience

Representative Matters

- Prevailed in binding arbitration in Los Angeles in a legal malpractice action. Defeated all allegations of professional misconduct asserted by the law firm's former clients, and obtained a seven figure award representing lawyer client's unpaid bonus fee.
- Prevailed in binding arbitration in Orange County in a legal malpractice case. Before arbitration, obtained summary disposition on all of claimant's malpractice claims against the law firm, which were alleged to have caused damage in excess of \$2 million. Arbitrated the law firm's fee claim and obtained an award in our favor for every cent the law firm was owed.
- Obtained summary judgment in a legal malpractice case, in which the plaintiff sought over \$6 million in damages as the result of alleged errors and omissions in connection with an estate plan prepared by our lawyer clients.
- Prevailed on an anti-SLAPP motion involving alleged criminal activity by the lawyer client. The plaintiff appealed, and Ms. Curtis-Ives handled oral argument at the Second District Court of Appeal. The Court of Appeal affirmed all orders by the trial court, which also enabled the lawyer client to recover attorneys' fees and costs.
- Obtained summary judgment in a legal malpractice case involving complex mediation confidentiality issues, in which the plaintiff sought 7-figure damages from the law firm clients.
- Prevailed on an anti-SLAPP motion involving "mixed" claims, including alleged criminal conduct by the lawyer client, achieving dismissal of the entire complaint against the law firm. Plaintiff's motion for reconsideration, and other repeated efforts to attack the judgment, were all denied.
- Prevailed on complex motion to compel arbitration in legal malpractice case, involving allegations of conflicts of interest that allegedly invalidated the attorney's retainer agreement, and thus, the arbitration provision. After successfully compelling arbitration, plaintiff's lawyer withdrew and plaintiff abandoned the case.
- Defended a start-up test preparation company against claims for false advertising, breach of loyalty, internet defamation, and unfair competition during a three month jury trial where the plaintiff sought \$18 million in damages. The jury awarded the plaintiff less than 1 percent of the damages sought.
- Represented a high-end furniture design company in a matter involving trade dress and trademark infringement of furniture designs, and trade secret misappropriation of client lists. Prevailed on summary judgment on the trade secret claims. The remaining claims were dismissed on the first day of trial for lack of prosecution by the plaintiff, who largely abandoned the case after being defeated on summary judgment.
- Represented a well-known tea company in a highly contentious two-week binding arbitration where the clients were being sued by the widow of their mentor for trademark infringement. Prepared a winning brief on a complex issue involving extra-territorial application of the Lanham Act which completely shielded the clients from over \$10 million in exposure for foreign sales.
- *Olander Enterprises, Inc. v. Spencer Gifts, LLC, et al.*, 812 F. Supp. 2d 1070 (C.D. Cal. 2011) - Represented a novelty goods manufacturer in a copyright and trademark infringement case. Wrote, argued, and prevailed on summary judgment on an issue of first impression in the Ninth Circuit, which is now an oft-cited published opinion.
- Represented a frozen yogurt chain being sued for trade dress infringement by a popular competitor, where the plaintiff sought protection in the interior décor of its yogurt shops. Negotiated extremely favorable settlement for clients resulting in payment of money by the plaintiff to the defendants.

- Represented an international watch manufacturer being sued by an - celebrity actress for using her name and image in connection with advertisements. Negotiated settlement at a fraction of the Oscar-winning actress's initial demands.
- Represented the licensing arm of the NCAA in a putative class action case involving alleged misappropriation of likeness in video games, a case that has made national news headlines.
- Represented well-known national retail chain store in a case involving copyright infringement of - necklaces. Negotiated dismissal of over 10 claims of infringement at the pre-answer stage of litigation, with no payment of money by the client.
- Represented client being sued for alleged right of publicity violations by a company that claimed to have obtained assignments from various models. Court granted demurrer on the grounds that the assignments were invalid as a matter of law. The client was able to recover fees as the prevailing party.
- Represented social networking client being sued for violation of the California anti-SPAM laws and other related Internet communication claims. The plaintiff voluntarily dismissed nearly every claim after seeing the draft motion for summary judgment.
- Represented appliance recycling center in which the plaintiff sued defendant for patent invalidity (involving a complex recycling process and machinery), and false advertising as to patent rights. After discovery efforts, the plaintiff agreed to dismiss the patent invalidity claims. The client then prevailed on summary judgment as to the false advertising claims. The Ninth Circuit affirmed.

Awards

Awards

- Super Lawyers, Southern California, 9 consecutive years, 2016 - 2024

Publications

- *Cracking the Code: How To Navigate a Lawyer's Duty To Avoid Phishing Attacks*, By Courtney Curtis-Ives & Robert Borowski, *The Recorder*, 12-13-2022
- *INSIGHT: Would Eliminating the Bar Exam Impact Malpractice Claims?*, Bloomberg, ft. Courtney Curtis-Ives
- *'Sheppard Mullin' Decision One Year Later: Problems for Streamlined Enforcement of Arbitration Provisions in Attorney-Client Fee Agreements*, *The Recorder*

Publications

- Curtis-Ives, C. (2011) "Does a Stock Photography Agency's Copyright Registration Extend to Each Photograph Contained in its Database?" *New Matter*, Vol. 36
- Curtis-Ives, C. (2006) "Under the Section 2 Microscope: Do Pfizer's Bundled Rebates and Exclusive Dealing Contracts Violate the Sherman Antitrust Act?" *Southwestern Law Review*, Vol. 35

News

- *KD Promotes Courtney Curtis-Ives, Kenneth Daniels, Kevin O'Connell and Eric Stern To Partner*