

Gerald P. Ferguson

RETIRED

Columbus

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Columbus, Ohio 43215

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Practice Areas

Copyrights

Intellectual Property

Litigation and Appeals

Securities, Shareholder Disputes
and Corporate Governance

Technology Transactions

Trade Secrets

Trademarks

Education

Capital University Law School,
J.D., 1979, *magna cum laude*,
Order of the Curia

Fairleigh Dickinson University,
B.A., 1974, *cum laude*

Bar & Court Admissions

Ohio

U.S. Supreme Court

U.S. Court of Appeals for the Fifth
Circuit

U.S. Court of Appeals for the Sixth

Jerry is a retired partner in the Vorys Columbus office and a member of the litigation group. He is a trial lawyer with over three decades of experience in successfully representing clients in commercial litigation. His practice focused upon intellectual property matters. He has trial experience in trademark, copyright, trade secret, unfair competition, infringement, counterfeiting, false advertising, and supplier and contract disputes. He has litigated matters under the Uniform Trade Secrets Act, the Lanham Act, and the Ohio Deceptive Trade Practices Act.

Career highlights include:

- Trial counsel on behalf of a cryogenics manufacturer in a misappropriation of trade secrets case, obtaining a verdict of over \$2.4 million in compensatory and punitive damages and attorney's fees, as well as a permanent injunction, after a nine day jury trial in federal court
- Successfully defended a manufacturer of apparel against trade dress infringement claims under the Lanham Act asserted by its largest competitor
- Trial counsel in a case where they jury awarded our client \$11.6 million to compensate for lost profits and diminished value of a business damaged due to sewer backup. This was the largest damage award ever returned against the City of Columbus. Within a week of the jury verdict, settlement was reached where the City agreed to pay \$10 million
- Recently retained in a trade secrets "bet the company" case to replace counsel mid-way through discovery; he obtained summary judgment and later won affirmance of that decision in the U.S. Court of Appeals for the 11th Circuit
- Lead counsel in a jury trial resulting in a \$4 million verdict in a case involving appraisal of a minority shareholder interest and breach of fiduciary duty
- Lead counsel for a Fortune 100 company against the City of Columbus resulting in a verdict of \$3.1 million.

Circuit

U.S. Court of Appeals for the
Eleventh Circuit

U.S. District Court for the Eastern
District of Michigan

U.S. District Court for the
Northern District of Ohio

U.S. District Court for the
Southern District of Ohio

U.S. District Court for the Western
District of Michigan

Industries

Transportation and Logistics

- Lead counsel in a Texas federal court action resulting in a judgment in excess of \$4 million against a Canadian entity arising out of the sale of a computer peripherals business
- Representing clients in injunction matters relating to trade secrets, trademarks, and unfair competition matters
- Recent engagements include litigation of significant attorneys' fees claims in fee-shifting cases as successor counsel
- Trial and appellate practice has resulted in over 70 reported appellate decisions

Jerry received his J.D. *magna cum laude* from Capital University Law School and his B.A. *cum laude* from Fairleigh Dickinson University.