



## Kimberly Weber Herlihy

PARTNER

### Columbus

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Columbus, Ohio 43215

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### Practice Areas

Antitrust and Trade Regulation

Antitrust and Trade Regulation  
Litigation

Copyrights

eCommerce Litigation

Franchising and Distribution

Intellectual Property

Litigation

Securities, Shareholder Disputes  
and Corporate Governance

Trade Secrets

### Education

Georgetown University Law  
Center, J.D., *magna cum laude*,  
1997, Order of the Coif

Boston College, B.A., *magna cum  
laude*, 1993

### Bar & Court Admissions

Ohio

U.S. Court of Appeals for the Sixth

Kim is a partner in the Vorys Columbus office and a member of the trial group. She has a varied litigation practice and extensive trial experience, with a focus on commercial litigation. She has tried a broad range of commercial cases in state and federal courts, including trademark, domain name and copyright infringement, real estate transfers, wrongful death and commercial contract cases. Recently, Kim has focused her practice on litigating antitrust, intellectual property, franchise and insurance coverage issues facing the firm's business clients.

### Career highlights include:

- Representing 18 major retailers in antitrust litigation against Visa and MasterCard
- Successfully defended a major chemical company in both federal and state court proceedings alleging misappropriation of confidential scientific information, obtaining dismissal of both cases after evidentiary hearing
- Successfully represented the NCAA in multiple matters involving college athlete eligibility issues
- Successfully defended nationwide paper products company in trademark infringement litigation at preliminary injunction hearing
- Won preliminary injunction hearing, bench trial and attorneys' fees for major central Ohio developer in suit against property owner, including through two levels of appeals
- Successfully limited jury award in vendor dispute for nationwide cleaning company
- Tried to jury verdict in our clients' favor a multi-plaintiff commercial fraud case against national insurance company on behalf of several brokerage companies

Kim has presented seminars on various litigation and trial advocacy topics, including the use of demonstrative evidence, deposition techniques and expert witnesses. She is an adjunct professor at The Ohio State University Moritz College of Law, teaching trial advocacy, and

Circuit

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

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

*Admitted to practice law only in the states listed above.*

### Industries

Colleges and Universities

Construction

Retail and Consumer Products

### Clerkships

The Honorable James G. Carr, Chief Judge, U.S. District Court for the Northern District of Ohio, 1997-1998

she regularly serves as a mock judge in trial and appellate competitions in Ohio.

Kim is a fellow of the American College of Trial Lawyers and a member of the American Bar Association and the Columbus Bar Association. She is listed in *The Best Lawyers in America* for Commercial Litigation (2012-2016) and was recently recognized as one of the Top Lawyers in Columbus by *Columbus CEO* (2015).

Kim was a judicial law clerk to the Honorable James G. Carr, Chief Judge in the U.S. District Court for the Northern District of Ohio from 1997 to 1998.

Kim received her J.D. *magna cum laude* from Georgetown University Law Center, where she was a member of the Order of the Coif. She received her B.A. *magna cum laude* from Boston College.

### Events

2.16.2021

Vorys Economic Development Incentives Conference - Virtual Edition

11.16.2017

Thinking on Your Feet: The Essential Skill of a Trial Lawyer

12.7.2012

Legal Aid Discovery Training

5.13.2011

Developments in Federal Litigation