



Peter Shimamoto

PARTNER

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Peter's Biography

Peter Shimamoto has more than 30 years of experience in complex commercial civil litigation, with an emphasis on entertainment and intellectual property matters. An experienced trial attorney, Peter has represented plaintiffs and defendants in all stages of litigation in federal court, state court, and arbitrations, from prefiling through trial and appeal. Through motion practice, at trial, on appeal, and through settlement, he consistently obtains winning results for his clients.

From the outset, Peter focuses on gaining a deep understanding of his clients' business and goals. Throughout the dispute resolution process, he never loses sight of their best interests or how the matter at hand may impact those goals. Peter thoroughly investigates the relevant facts, and evaluates the case's strengths and potential weaknesses. He also tries to understand the perspectives and goals of the other parties involved and anticipate their arguments and strategies. While a detailed understanding of the case is essential, experience has taught Peter the importance of keeping the "big picture" in focus. Taking this disciplined approach, he is able to explain persuasively—in straightforward concepts that resonate with the fact finder emotionally and intellectually—why his client should prevail.

Peter has a wealth of experience in entertainment law; he has litigated cases involving some of the nation's leading artists, motion picture studios, television networks, television production companies, and music companies. He has handled numerous cases involving copyright

Education

Harvard Law School, J.D., 1985

University of California, Berkeley, B.A.,
high honors, 1982

Bar Admissions

Admitted to the State Bar of California

Admitted to the New York State Bar

United States Court of Appeals for the
Ninth Circuit

United States Court of Appeals for the
Third Circuit

United States District Court for the

infringement, trademark infringement, profit participation, licensing and distribution, financing, breach of contract, trade secrets, defamation, fraud, and breach of fiduciary duty.

Cases of note include: profit participation cases involving the television series “Will & Grace” and “Gilmore Girls,” and the motion picture “The Exorcist”; copyright infringement cases involving the motion picture “Pearl Harbor,” Mariah Carey’s hit song “Hero,” and Jonathan Larson’s musical “Rent”; and trademark infringement cases involving Old Navy, Tinder, and the musical group One Direction. Peter’s clients have obtained more than \$100 million in jury verdicts and settlements.

Peter has in-depth trial and arbitration experience. His representative experience includes:

- Represented the plaintiff in a trademark infringement trial against one of the world’s largest apparel manufacturers. After a one-week trial, the jury found the defendant liable for infringement.
- Represented the plaintiff in a three-week copyright infringement trial against a large software company. The jury found the defendant liable for infringement.
- Represented the plaintiff in a trademark infringement trial against a large internet company.
- Represented a perfume manufacturer in an arbitration against one of its former executives. The arbitrator ruled in favor of the manufacturer.
- Defended a Fortune 500 company in an arbitration brought by the purchaser of one of the defendant’s former subsidiaries. The arbitrator ruled in favor of the defendant.
- Member of the team that represented a production company in a six-week IFTA arbitration involving a dispute against a major financial institution regarding film financing for a slate of feature films. Peter examined and cross-examined numerous witnesses during the proceeding and was integrally involved in all facets of the litigation.
- Second chair in a two-month trial representing one of the defendants in an antitrust action. Although the jury ruled in favor of the plaintiff, it awarded plaintiff less than three percent of the damages it had requested.
- Member of the trial team that represented an entertainment studio in a dispute with the creators of a popular television show regarding participation payments for the show. The trial lasted for six weeks and settled before the jury issued a verdict.

Peter honed his practice at law firms in New York and Los Angeles, including Irell & Manella LLP. Before joining Willenken, he started his own boutique firm, Insignis Law. He is a member of the [Harvard Asian American Alumni Alliance](#), the [Copyright Society of the USA](#), and the [Los](#)

Central District of California

United States District Court for the Northern District of California

United States District Court for the Southern District of California

United States District Court for the Southern District of New York

Practice Areas

Complex Commercial Litigation

Entertainment Litigation

Intellectual Property Litigation

Copyright

Trade Secrets and Employee Mobility

Trademark and Trade Dress

Last Minute Trial Representation



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Angeles Copyright Society. Outside of law, Peter is vice-chair of the Board of Directors for **East West Players**, the nation's premier Asian American theater organization.

Honors

Higher education honors include:

- Editor, *Harvard Law Review*
- Phi Beta Kappa

Winning Matters

- **Willenken Wins Critical Liability Phase of High-Profile Lupron Supply Shortage Trial in Delaware Chancery Court**

Cases

The following is a representative sample of Peter's casework (completed at prior firms):

- ***Active Sports Lifestyle USA, LLC v. Old Navy LLC et al.*** Obtained jury verdict of trademark infringement, finding that Old Navy's use of "Active by Old Navy" infringed client Active Ride Shop's "Active" trademarks.
- ***Netbula, LLC et al. v. Chordiant Software, Inc. et al.*** Obtained jury verdict of copyright infringement after a three-week trial, finding that the defendant had infringed the plaintiff's copyright in software it had developed.
- ***Selletti v. Carey.*** Obtained dismissal on summary judgment of claim that Mariah Carey's hit song "Hero" infringed the copyright in plaintiff's unpublished song.

Clients

The following is a representative sample of Peter's clients:

- BMG Music



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- Hugo Boss
- JAMDAT Mobile
- MTV Networks
- NBCUniversal
- New York Daily News
- Nickelodeon
- Paramount Pictures
- Pixar
- Reed Publishing
- Sony Music Entertainment
- The Walt Disney Company

Speaking Engagements

- Moderator, “Sports & Entertainment: An Insider’s Perspective,” NAMWOLF Webinar (December 15, 2020)
- Co-Presenter, “Hot Topics in Copyright and Trademark Law,” **NAPABA Webinar** (November 19, 2019)

Professional Affiliations

- **The Copyright Society of the USA**, *Member*
- **Los Angeles Copyright Society**, *Member*
- **National Asian Pacific American Bar Association**, *Entertainment Law Committee Member*
- **Japanese American Bar Association**, *Member*
- **California Minority Counsel Program**, *Member*
- **National Association of Minority and Women Owned Law Firms**, *Intellectual Property PAC – Sports and Entertainment Subcommittee Co-Chair*
- **Harvard Club of Southern California**, *Board Member*
- **East West Players**, *Vice Chair, Board of Directors*
- **Harvard Asian American Alumni Alliance**, *Los Angeles Chapter Co-Chair*
- **U.S.-Japan Council**, *Vice Chair of the Southern California and Southwest Regions*



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