

## C. Bryan Wilson

### Partner

Bryan Wilson is Co-Chair of the firm's Unfair Competition, Trade Secrets, and Restrictive Covenants practice group. He tries complex commercial matters throughout the country for both plaintiffs and defendants. Recent matters, including several that went to trial or arbitral hearing, involved allegations of breach of contract, deceptive trade practices, copyright infringement, breach of fiduciary duty, false advertising, fraud, unfair competition, legal malpractice, violations of federal procurement laws and the false claims act, and theft of trade secrets. Bryan also counsels clients in conflicts and investigations and works to avoid litigation when possible.

Born and raised in Toledo, Ohio, Bryan graduated *magna cum laude* from Miami University, where he was a member of Phi Beta Kappa, and *magna cum laude* from Duke University School of Law, where he was a member of the Order of the Coif and served as an Article Editor of the *Duke Law Journal*. Before joining the firm, he clerked for the Honorable Edith H. Jones of the U.S. Court of Appeals for the Fifth Circuit and the Honorable Lee H. Rosenthal of the U.S. District Court for the Southern District of Texas.

### Representative Experience

Though all cases vary, and none is predictive, Bryan's experience includes:

- On the plaintiff's side, securing more than \$825 million in judgments. On the defense side, defeating claims seeking billions of dollars.
- Prevailing on behalf of a commercial real estate provider that obtained a judgment of \$500 million and a permanent injunction against a competitor based on claims for copyright infringement, violations of the Computer Fraud and Abuse Act and the Digital Millennium Copyright Act, breach of contract, and unfair competition. *CoStar Group, Inc. v. Xceligent, Inc.*, 2019 WL 6622862 (W.D. Mo. Dec. 3, 2019).
- Prevailing at trial for a major defense contractor, which won a judgment worth in excess of \$275 million and defeated in full counterclaims asserting misappropriation of trade secrets that sought approximately \$750 million.
- Prevailing at trial for a financial services client that was sued for in



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### Education

Duke University School of Law, J.D., magna cum laude, 2004: Order of the Coif; Article Editor, Duke Law Journal; Criminal Law & Procedure Award

Miami University, B.A., magna cum laude, 2001: Phi Beta Kappa

### Practice Focus

Arbitration  
Civil Litigation and Trial Practice  
Commercial Litigation  
Federal Programs and Government Contracts  
Financial Services and Banking  
Unfair Competition, Trade Secrets and Restrictive Covenants

### Recognitions

"Rising Star of Law 40 under 40," *DCA Live*, 2018

"Rising Star in Government Contracts," *Law360*, 2015

### Admissions

Virginia

excess of \$600 million arising out of a failed alternative asset securitization. The court returned a complete defense verdict. *Ritchie Risk-Linked Strategies Trading (Ireland), Limited v. Coventry First LLC*, 2014 WL 5420926 (S.D.N.Y. Oct. 20, 2014); 2015 WL 5581817 (S.D.N.Y. Sept. 10, 2015) (denying motion to alter and amend judgment). On appeal, the Second Circuit unanimously affirmed. 673 F. App'x 57 (2d Cir. 2016).

- Prevailing at trial for a major defense contractor, which won a judgment worth in excess of \$53 million, including attorneys' fees, from one of its suppliers. *AM General LLC v. Demmer Corp.*, 2014 WL 4979237 (N.D. Ind. Oct. 6, 2014); 2015 WL 1256370 (N.D. Ind. Mar. 18, 2015) (denying motion for new trial and to alter and amend judgment).
- Prevailing on claims brought by the leading commercial real estate data provider for contributory copyright infringement, vicarious copyright infringement, and conspiracy to violate the Computer Fraud and Abuse Act and engage in unfair competition, including entry of a permanent injunction and disgorgement of 100% of the defendant's profits, *CoStar Group, Inc. v. RE BackOffice, Inc.*, 2017 WL 4848773 (W.D. Pa. Oct. 23, 2017).
- Successfully defending a publicly traded company accused of overcharging a municipal government. In 2020, on the final business day before a three-week jury trial was scheduled to begin, the plaintiff voluntarily dismissed its case with prejudice with the firm's client making no payment of any kind.
- Successfully pursuing claims brought by the leading commercial real estate data provider for contributory copyright infringement, vicarious copyright infringement, and conspiracy to violate the Computer Fraud and Abuse Act and engage in unfair competition. The court entered a permanent injunction and ordered the defendant to disgorge 100% of its profits. *CoStar Group, Inc. v. RE BackOffice, Inc.*, 2017 WL 4848773 (W.D. Pa. Oct. 23, 2017).
- Successfully protesting a procurement issued by a division of the Army that was valued at over \$850 million for a veteran-owned small business.
- Successfully intervening in five bid protests on behalf of a security services firm accused of violating the Procurement Integrity Act in bidding on work for the Department of State. In response to the firm client's motions for summary dismissal, the Government Accountability Office dismissed all of the protests. *Aegis Defense Servs.*, B-412755, 2016 CPD ¶ 98 (Comp. Gen. Mar. 25, 2016); *Aegis Defense Servs.*, B-413092; B-413135; B-413226; B-413295 (Comp. Gen. Aug. 3, 2016).

District of Columbia  
United States Court of Appeals for the  
Second, Fourth, Fifth, and District of  
Columbia Circuits  
United States District Courts for the  
District of Columbia, Colorado,  
Maryland, the Eastern District of  
Michigan, the Eastern and Western  
Districts of Virginia, the Southern  
District of Texas, and the Eastern  
and Western Districts of Wisconsin  
United States Court of Federal Claims

- Defeating, for a large e-discovery provider and its chief executive officer, claims for misappropriation of trade secrets and tortious interference. After a three-day evidentiary hearing, the court held that the preliminary injunction request “fails as to the facts and the law” and subsequently dismissed the claims against the firm’s clients with prejudice. *In re Document Technologies Litigation*, 275 F. Supp. 3d 454 (S.D.N.Y. 2017) & 2017 WL 4350598 (S.D.N.Y. July 24, 2017). On appeal, the Second Circuit unanimously affirmed the dismissal. 731 F. App’x 31 (2d Cir. 2018).
- Successfully protesting a procurement from the Federal Bureau of Investigation valued at over \$500 million for a major government contractor.
- Defeating, for a large private equity firm, a TRO request over the hiring of a senior executive. *American Realty Capital Properties Inc. v. Holland*, 2014 WL 1379107 (D. Ariz. April 8, 2014).
- Representing an oil and gas industry pioneer and his new companies, which were sued for over \$450 million based on allegations of misappropriation of trade secrets, breach of fiduciary duty, and breach of contract. The case settled for no payment from the firm’s clients, no admission of liability, and the plaintiff agreeing to pay millions in defense costs.

## Resources

### Publications

- *Using Ex Parte Seizures Abroad To Obtain IP Evidence*, August 2018
- *Bryan Wilson Quoted in Trade Secrets Litigation Article Published by LegalTech News*, July 2017
- *Court of Federal Claims: Jurisdiction, Practice and Procedure - Limitations Periods*, December 2016
- *What’s a Federalist To Do? The Impending Clash Between Textualism and Federalism Under Article I, Section 4*, 2004

### Presentations

- *Amy Saharia and Bryan Wilson Host ACC Indemnification Provisions Panel*, October 2018