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TOP INTELLECTUAL PROPERTY LAWYERS 2025



**EUGENE M. "GENE"
PAIGE**

KEKER, VAN NEST & PETERS
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Eugene M. "Gene" Paige is a Keker, Van Nest & Peters partner who focuses on patent, copyright and antitrust litigation. He has prevailed in high-profile, high-stakes cases for Dexcom Inc., Google LLC and Qualcomm Inc., defending technologies used in medical devices, chips purpose-built for machine learning, communications technologies and mobile devices.

After obtaining a BA in chemistry from Rice University and a JD from Harvard Law School — both with magna cum laude honors — Paige clerked for Judge

Alex Kozinski at the 9th U.S. Circuit Court of Appeals and for Associate Justice Anthony M. Kennedy at the U.S. Supreme Court.

"Judge Kozinski was a great person to work for, and it was a rigorous clerkship," Paige said. "He made sure that what you wrote in draft opinions was really good. It wasn't uncommon to go through 40 to 50 drafts before he was satisfied."

Paige also relished his time at the Supreme Court with Kennedy. "From him, I learned a lot about the process of making judicial decisions," Paige said.

He looked for a job at Keker after opposing its lawyers in a case while summering at another firm. "I thought, 'These folks seem really good.' So, I sent them my resume and they gave me an interview and, subsequently, an offer. I finished my clerkship and accepted their offer to join the firm at about the same time Justice Kennedy invited me to come in for an interview. After I was offered a clerkship for the following year, Keker was very nice about letting me leave for D.C."

In February 2025, Paige won his first case at the 9th Circuit as the arguing attorney when he prevailed for Qualcomm in a long-running assault on its "no license, no chips" business model. Paige and colleagues defended the chipmaker after

the Federal Trade Commission sued for antitrust violations in 2017 — a case that ended with a loss at the trial court but a reversal and a win on appeal.

Meanwhile, private plaintiffs filed a massive class action tracking the FTC's theories. When the FTC case ultimately failed, they pivoted to state law claims that also lost at the district court level. February's decision affirmed the plaintiffs' loss and left Qualcomm free to carry on its business practices as usual. *Key et al. v. Qualcomm Inc.*, 23-3354 (9th Cir., op. filed Feb. 25, 2025).

"The plaintiffs kind of drafted off the government, but it turned out their theories were incorrect," Paige said. "It was a real pleasure to win this one."

Earlier, Paige prevailed for Dexcom at a patent infringement jury trial brought by Abbott Laboratories in Wilmington, Del., in March 2024. Abbott alleged that Dexcom's pioneering technology used for its continuous glucose monitoring systems infringed 12 Abbott patents and sought \$1.4 billion in damages.

"All of Abbott's patents were written after our product was on the market," Paige said. "Our argument was: who was copying whom?" *Abbott Diabetes Care Inc et al. v. Dexcom Inc.*, 1:21-cv-00977 (D. Del., filed July 1, 2021).