

David A. Bateman

Partner

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OVERVIEW

David Bateman is a trial lawyer and focuses on internet law, technology law, and intellectual property litigation. David represents clients in high profile litigation matters, and provides counseling to clients on privacy, social media, online marketing, data protection and breach response, and other issues in the Internet space.

A nationally recognized leader in Internet, e-commerce, and software litigation, David has been lead counsel in hundreds of lawsuits against spammers, software pirates, phishers, cybersquatters, and Internet trolls. He has worked cooperatively with major ISPs, social media platforms, tech industry participants, and state and federal government agencies in the battle against online consumer deception, fraud, and privacy invasions.

In addition, he routinely defends technology companies, online retailers, affiliate programs, and ad platforms in class action litigation and government investigations and enforcement actions.

David also advises clients about cybersecurity risks, data breach response planning, and corporate governance in the cybersecurity field. He has participated in dozens of data breach incidents, and is a frequent speaker on the protection of computer systems, trade secrets, and intellectual property. David is a leader in the firm's cyber law and cybersecurity practice.

David is a co-founder of the Cyber Civil Rights Legal Project (CCRLP), a global K&L Gates pro bono project providing legal services to victims of nonconsensual pornography (i.e., “revenge porn”) whose sexually explicit images are distributed and displayed online without consent. The CCRLP utilizes the firm's elite cybersecurity and cyber forensics practices, allowing volunteers to deliver quality pro bono services to victims across the globe. Since its inception in late 2014, the CCRLP already has helped thousands of victims fight back against cyber harassment and reclaim their online identities.

ACHIEVEMENTS

- Named among Seattle Magazine's 2025 Most Influential People
- Ranked in *Chambers USA*, Washington for Intellectual Property (2013-2021)
- Pro Bono APEX Award 2016, Washington State Bar Association

- Selected to the Washington Super Lawyers List (2004-2021)
- Listed in *The Best Lawyers in America*©, 2006-2021

PROFESSIONAL / CIVIC ACTIVITIES

- Member, International Association of Privacy Professionals (IAPP)

SPEAKING ENGAGEMENTS

- “The Real World of Online Harassment and its Consequences,” Grays Harbor Community College, June 2016
- Data Breaches and Trade Secrets CLE (ABA Annual Meeting 2015)
- “Revenge Porn – a Plaintiff's Perspective,” Washington Defense Trial Lawyers Association, December 2015
- “The Intersection of Trade Secret Protection and Cyber Security,” Trade Secret Law and Strategies, October 2015
- “After Anthem: Cybersecurity, Data Privacy, and Cyber-Resilience for the Health Care Sector,” May 2015
- “Cyberattacks on IP: Response and Prevention,” IP Chat Channel, February 2015
- “Understanding Cyber Risks and Security Options,” December 2014
- “Using Social Media in Your Practice —Legal Issues and Risks”, ALI Seminar, January 2014
- "Critical Briefing: Cyber Threats, Crimes, and Security,” June 2013
- 3rd Annual Domestic Violence Conference, King County Prosecutor's Office, September 2011
- “Intellectual Property Protection in the Cloud / Enforcement,” Cloud Computing Conference, May 2010

EDUCATION

- J.D., Yale Law School, 1984
- B.A., Yale University, 1980 *summa cum laude, Phi Beta Kappa*

ADMISSIONS

- Bar of Washington
- United States District Court for the Eastern District of Washington
- United States District Court for the Western District of Washington

THOUGHT LEADERSHIP *POWERED BY HUB*

- 10 February 2025, January 2025 Accolades
- 11 April 2016, Phishing Season Opens for 2016 Tax Filings – Beware of "W-2 Phishing Scams"

NEWS & EVENTS

- 6 May 2024, K&L Gates Again Ranked Among World's Best Data Law Firms by *Global Data Review*
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 21 May 2021, Chambers USA 2021 Guide Recognizes K&L Gates Intellectual Property Practice, Lawyers
- 10 September 2020, K&L Gates Prevails on Summary Judgment in False Advertising Action Against Content Recommendation Platform
- 23 April 2020, K&L Gates, Lawyers Recognized in 2020 Chambers USA Guide
- 26 April 2019, Chambers USA 2019 Guide Ranks K&L Gates, Lawyers Among Leaders
- 23 June 2016, K&L Gates, Lawyers Recognized as Leaders in Chambers USA 2016 Guide
- 20 May 2015, Chambers USA 2015 Guide Recognizes K&L Gates, Lawyers as Industry Leaders

OTHER MEDIA MENTIONS

- "K&L Gates Attorneys Have Put 28,000 Hours Toward Stamping Out Revenge Porn in Past Decade," *The American Lawyer*, 4 September 2024
- "Law Firm Founds Project to Fight 'Revenge Porn,'" *New York Times*, January 29, 2015
- "Amazon Sues More Than 1,000 Does for Writing Fake Reviews," *Lexis Legal News*, October 20, 2015
- "In 'Revenge Porn' Case, Criminal Court Decision May Affect Lawsuit," *New York Times*, April 1, 2016
- "Copyright Law and the Fight Against Revenge Porn: Q&A With David Bateman of the Cyber Civil Rights Legal Project," *JD Supra*, February 19, 2015
- "David Bateman Receives Pro Bono Award," *Washington State Bar Association*, September 30, 2016
- "Seattle Tech Companies Join Lawyers in Fight Against Revenge Porn," *Puget Sound Business Journal*, August 5, 2016

- “PA Prosecutors Quick to Put 'Revenge Porn' Law to Work,” *Triblive*, May 30, 2015
- “Special Report: A Year of Public Service Help for Victims of 'Revenge Porn,'” *AmericanLawyer.com*, June 27, 2016

AREAS OF FOCUS

- IP Litigation
- Commercial Disputes
- Data Protection, Privacy, and Security
- Fintech Lending

REPRESENTATIVE EXPERIENCE

- Defended affiliate marketing program in FTC enforcement action regarding “fake news” sites, utilizing CDA 230.
- Defended local start–up company in trade secret and non–compete litigation.
- Represented national mobile phone service provider in employee theft litigation.
- Obtained $8.9 million verdict in jury trial against online cyberstalker.
- Defend online home improvement and repair platform in competitor claims of improper site access and scraping.
- Defended native advertising platform against claims of liability for third-party advertising, utilizing CDA 230.
- Litigation to unmask anonymous on-line leaker of trade secrets.
- Defended local start–up company in trade secret and non–compete litigation.
- Served as lead trial lawyer in Microsoft's nationwide Internet safety and security litigation efforts, heading programmatic litigation in spam, phishing, spyware, click-fraud and malvertizing enforcement.
- Led online marketplace effort to identify and pursue fake review generators.
- Defend online marketplace in claims for COVID-19 price gouging.
- Represented a major online retailer in domain name protection efforts and cybersquatting litigation.
- Defended medical payment processor in data breach class action litigation.
- Obtained $3.4 million judgment against spyware distributor.
- Represented a major online retailer in a program to unmask and pursue online scammers and trademark abusers.

- Represented online marketer in multistate AG investigation of ROSCA and continuity programs.
- Represented software developer in international arbitration regarding design and project implementation.
- Represented software manufacturer in claims against Chinese piracy.
- Defended mobile app developer in ownership and project dispute.
- Defended numerous app developers in class action privacy litigation regarding data collection through APIs.
- Represented native ad network in FTC investigation of compliance efforts.
- Represented national mobile carrier in Washington AG enforcement action relating to mobile apps.
- Represented app developer in State AG investigation of browser add-ons.
- Represented online music distributor in Washington State AG investigation of continuity programs.
- Represented online ad network in Washington State AG investigation regarding consumer privacy issues.