

Rachael L. Rodman

Partner



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Practices/Industries

- Patent Litigation
- Trademark/Copyright Litigation
- Trade Secret Protection & Litigation
- Complex Business Litigation

Education

University of Cincinnati
(B.A., *cum laude*, 1998)
University of Cincinnati
College of Law
(J.D., 2001)
Order of the Coif; Publications
Editor, *University of Cincinnati
Law Review*

Overview

Rachael is an accomplished litigator who concentrates her practice in the area of IP litigation, and has experience representing clients in a variety of cases involving patent, trademark, copyright, and trade secret claims. She also has experience in complex business litigation, and has litigated cases involving contract, shareholder, and non-compete disputes.

In addition to her substantial trial experience in state and federal court, Rachael has extensive appellate experience, in both Ohio and federal appellate courts. Prior to beginning her litigation practice, Rachael clerked for the Ohio Court of Appeals for the Second Appellate District. She has participated in arbitrations through the American Arbitration Association and the dispute resolution forums of the Financial Industry Regulatory Authority and the American Health Lawyers Association.

By leveraging an aggressive, yet practical approach, Rachael has worked with clients in a wide range of industries, including medical, financial, and technology companies. Using her experience and dedication to learning her clients' goals and objectives, Rachael guides clients to efficient resolutions that keep their businesses moving forward. Additionally, drawing on her substantial experience in trade secret litigation, Rachael counsels clients on how to identify and protect their trade secrets before they find themselves in litigation.

Experience

- Successfully represented a company in a temporary restraining order and preliminary injunction to protect its trade secrets and enforce its non-competition/non-solicitation/non-disclosure agreement when an executive left to go to a competing company (*LexisNexis v. Caruso*, Montgomery Cty. Ohio 2011 CV 01995).
- Represented a shareholder in a dispute regarding alleged restrictions on inherited shares of stock, resulting in a decision in favor of the client after a bench trial that was then affirmed on appeal (*Harlamert v. World Finer Foods, Inc.*, CA6 06-3584).
- Represented a client in the defense of patent infringement litigation involving database technology (*Cascades Publishing Innovation, LLC v. Reed Elsevier, Inc.*, SD Ohio 3:15-cv-463).
- Prevailed at summary judgment and in appeal to the Sixth Circuit in a trade secret dispute brought by a former employer against a former employee and the new employer (*sealed case*).

Publications

- "Considerations for Global Patent Litigation," IP Litigator (August 2020)
- "Reasonable Measures Under the DTSA," Bloomberg Law (January 2020)
- "Sworn to Secrecy: Protecting Trade Secrets and Intellectual Property," Risk Management Magazine (June 2019)
- "Economics of Diversity White Paper," Co-Author, Intellectual Property Owners Association (2019)

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Publications (Cont)

- “Remedies in Intellectual Property Litigation,” Editor, DRI Defense Library Series (2018)
- “Implicit Bias in the Legal Profession White Paper,” Co-Author, Intellectual Property Owners Association (2017)

Presentations

- “IP 101: The Nuts and Bolts of Intellectual Property,” DRI Webinar (July 2021)
- “How to Be a Better Ally for Diversity and Inclusion,” Panelist, IPO 2020 Virtual Conference (September 2020)
- “Do You Have a Trade Secret?” Ulmer Webinar (April 2020)
- “A Practical Guide to Diversity & Inclusion in the Legal Profession,” Moderator, IPO IPOwners Spring Summit (March 2020)
- “Leveling the Playing Field,” Moderator, DRI Women in the Law Seminar (January 2020)
- “Strategy Considerations for Global Patent Litigation,” IPO Annual Meeting (September 2019)
- DRI IP Litigation Seminar 2019 (*Program Chair*)
- “Partnering for Diversity and Inclusion,” IPO Spring Summit (March 2019)
- “Implicit Bias: A Discussion on Gender and Multicultural Bias in the Legal Market,” DRI International Seminar (June 2018)
- DRI IP Litigation Seminar 2018 (*Program Vice Chair*)
- “DTSA 2016: The Trade Secret Is Out of the Bag,” Webinar (June 2016)
- “The Use of Forensic Analysis in Trade Secret Cases,” DRI IP Litigation Seminar (May 2016)
- “eDiscovery: An Introduction,” OWBA Women’s Forum and Annual Meeting (May 2013)
- “Discovery Strategy: Finding the Smoking Gun,” NBI (2010)

Involvement

Professional Affiliations

- Defense Research Institute (*IP Litigation Committee; IP Litigation Seminar—2019 Chair, 2018 Vice-Chair; Defense Library Series, Remedies in Intellectual Property Cases—2018 Editor-in-Chief; Women in the Law Committee, Steering Committee; Appellate Law Committee*)
- Intellectual Property Owners Association (*Diversity & Inclusion Committee; Women in IP Committee, Vice Chair; Push Forward Subcommittee, Co-Chair*)
- Columbus Bar Association
- University of Dayton School of Law, Adjunct Professor of Remedies (2007-2009)

Community Involvement

- Humane Society of Greater Dayton (*Board of Directors, 2011-2015*)
- Ronald McDonald House Charities of Dayton (*Board of Trustees, 2012-2013; Governance Committee*)
- Clothes That Work (*Co-Chair, Hunks in Heels Fundraising Committee*)
- YWCA of Dayton (*Board of Directors, 2010-2011; Development Committee, Co-Chair Professional Enrichment Series Fundraiser*)

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Honors & Distinctions

- Named a “Woman Worth Watching” by Profiles in Diversity Journal (2020)
- Named a “Forty Under 40” award recipient by The Dayton Business Journal (2011)
- Leadership Dayton Class of 2011
- Named to the Ohio Super Lawyers Rising Stars list (2005-2007)
- Named to the Ohio Super Lawyers list (2022)
- AV Peer Review Rated - Martindale-Hubbell

Admissions

- State of Ohio
- U.S. Supreme Court
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Federal Circuit
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, District of Colorado
- U.S. District Court, Northern District of Illinois