

Partner, Palo Alto

Litigation



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Education

J.D., University of Southern California
Gould School of Law, 2008 (Order of
the Coif)

B.A., University of California, Los
Angeles, 2005 (*summa cum laude*)

Bar Admissions

California

Experience

Law Clerk, Hon. Barry G. Silverman, 9th
U.S. Circuit Court of Appeals

Law Clerk, Hon. George H. King, U.S.
District Court for the Central District of
California

Associations

Board Member, Western Center on
Law & Poverty

Abe Tabaie's practice focuses on large-scale commercial business litigation, often involving trade secret misappropriation claims, breach-of-contract and tortious interference claims, false advertising, product liability defense and unfair competition litigation. He practices at the federal and state levels, as well as in private arbitration. Mr. Tabaie's clients include companies in the technology, real estate, venture fund, private equity, manufacturing and financial services industries, among others. In addition to his extensive experience defending commercial entities and individuals, he has done a considerable amount of work in plaintiff-side commercial litigation, recovering over \$40 million for his clients in such matters.

In 2021, the *Daily Journal* recognized Mr. Tabaie as one of California's 40 Under 40, an annual list of young attorneys who distinguish themselves in their area of practice and are seen as rising stars in the legal industry. He also has been named one of Lawdragon's 500 Leading Litigators in America.

Some of Mr. Tabaie's notable representations and achievements include:

- a complete denial of a motion for a preliminary injunction brought against client Taylor Foodservice LLC in a trade secret misappropriation and intentional interference with contract case brought by plaintiff Kytch;
- a complete denial of a motion for preliminary injunction brought against Standard Industries and GAF Energy in a trade secret misappropriation case brought by SunPower Corporation, in which the court repeatedly found SunPower's trade secret designation to be inadequate;
- SYBO ApS, a video-game developer, in a novel class action suit alleging violations of California's right to privacy and New York's General Business Law § 349, as well as claims for intrusion upon seclusion. Ultimately, the plaintiffs abandoned their Rule 26(b)(3) class action damages claims and agreed to a Rule 26(b)(2) injunction-only settlement;
- Yardi Systems, Inc. and its subsidiary YES Energy Management, Inc. in utility billing and debt collector cases in both state and federal court;
- Advantest Corporation in a JAMS arbitration involving a former employee and competitor concerning, *inter alia*, breach of contract, tortious interference, unfair competition and breach of fiduciary claims;
- Criteo S.A. in a lawsuit brought against SteelHouse, Inc. alleging false advertising, unfair competition, fraud and intentional interference claims;
- 3Taps, Inc. in a lawsuit brought against Craigslist, Inc. alleging anti-competitive business practices to maintain a monopoly in the online classified ads market and separately in the defense of claims brought by Craigslist alleging copyright, unfair competition and Computer Fraud and Abuse Act violations;

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- Enel X North America, Inc. and Electric Motor Werks, Inc. in a case regarding the corrected inventorship of two patents directed to electric vehicle charging station systems, and related false promise, *quantum meruit* and Section 17200 claims;
 - Regis Corporation in the defense of a competitor-to-competitor trade secret and intentional interference case brought by ProPoint;
 - Accuworx USA and Accuworx West in defeating a temporary restraining order in trade secret and unfair competition litigation brought by Patriot Environmental Services;
 - Atomico Ventures in obtaining preliminary and permanent injunctions in litigation brought against individuals and entities that stole valuable information and trade secrets from the company;
 - Intuitive Surgical Inc.:
 - with respect to product liability litigation in California; and
 - in a rescission and breach-of-contract action involving Intuitive's insurance providers refusing to ensure its product liability claims;
 - Toyota Motor Corporation and Toyota Motor Sales, U.S.A., Inc. in bellwether trials against Toyota in California Superior Court brought by individuals who allegedly suffered personal injuries due to purported defects;
 - UBS Real Estate Securities, Inc. in a federal trial involving an alleged \$2 billion residential mortgage-backed securities breach-of-contract claim; and
 - AIMCO in litigation brought by limited partners alleging breaches of fiduciary duty based on a number of mergers.