

## David P Mattern

Senior Associate

*Trial and Global Disputes / Intellectual Property*

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Washington, D.C.: +1 202 626 2946  
dmattern@kslaw.com



David Mattern focuses on complex litigation and intellectual property matters. He represents clients in a wide range of matters at the trial and appellate level in state and federal courts.

David has represented clients at trial and appeal in courts across the country. His experience extends to a wide range of subject areas, including False Claims Act litigation, product liability litigation, professional liability litigation, and many other types of business litigation. David has particular expertise in copyright and trademark law and represents numerous music services in rate court disputes, before the Copyright Royalty Board, and before the Department of Justice.

### Matters

***Web V (2020)***. Represents Google in a rate-setting proceeding before the Copyright Royalty Board to determine the rates non-interactive streaming services pay record labels

***Downtown v. Peloton (2019)***. Represents Peloton Interactive, Inc. in suit brought by music publishers in SDNY

***Phonorecords III (2017)***. Represented Google before the Copyright Royalty Board in a proceeding to set the royalty rates paid to publishers for interactive streaming.

***Pandora v. BMI (2015)***. Member of trial team representing Pandora against Broadcast Music, Inc. in rate court proceeding under antitrust consent decree to determine public performance royalties for Pandora's internet radio service.

Represented AT&T in False Claims Act suits in state and federal court in California and Nevada. Successfully obtained dismissal of a federal suit in California and a state suit in Nevada.

Represented one of the **world's largest banks** in a DOJ investigation alleging fraud in the sale of mortgage-backed securities.

Represented one of the **largest American car companies** in a DOJ and NHTSA investigation regarding the timeliness of a recall.

Defended the **big four accounting firms** in suits alleging auditor and tax accountant malpractice.

## Credentials

### EDUCATION

J.D., Columbia University, James Kent Scholar

B.A., Case Western Reserve University, magna cum laude

### ADMISSIONS

District of Columbia

New York

### CLERKSHIPS

Judicial Clerk, Chief Judge R. Guy Cole, U.S. Court of Appeals for the Sixth Circuit

## Insights

### ARTICLE

*May 7, 2020 • Source: Bloomberg Law*

Disputes Brewing Over Covid-19 Bar, Restaurant Closings

### CLIENT ALERT

*September 26, 2016*

NHTSA Releases Guidance on Enforcement of Safety-Related Defects in Automated Vehicle Technologies

*September 21, 2016*

DOT Releases Autonomous Vehicles Guidelines

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## News

### IN THE NEWS

*March 31, 2020 • Source: Law.com*

David Mattern advises Amazon in a pirated music dispute

*February 27, 2020 • Source: Law360*

Kenneth Steinthal, Blake Cunningham, Christopher Yook, David Mattern and Emily Chen counsel Peloton on its settlement agreement with music publishers

*August 15, 2019 • Source: Law360 and Billboard*

Kenny Steinthal, Jeff Bucholtz, David Mattern and Jason Cunningham represent Google before the D.C. Circuit to challenge a Copyright Royalty Board ruling

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