

Natasha H. Moffitt

Partner

Data, Privacy and Security



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Natasha Moffitt is a Partner in the firm's Data, Privacy and Security practice. She leverages her computer engineering background and nearly two decades of technology litigation experience in counseling clients on proactive and reactive data security and privacy-related issues, including significant security incidents and breach response.

Natasha helps clients manage their litigation risks throughout the entire investigatory process. She has led large-scale internal investigations into data breaches; worked closely with forensic investigators, remediation teams, and law enforcement; handled breach notifications; responded to regulator and congressional inquiries; and prepared witnesses for testimony before various federal and state regulators and Congress. The types of security incidents Natasha has handled are wide-ranging, and have involved suspected insider theft of sensitive company information and trade secrets, cyber-attacks on internal systems and devices (including legacy systems and medical devices), phishing schemes, ransomware attacks, account takeover incidents involving successful unauthorized money transfers, and schemes involving the misuse of intellectual property to commit online fraud.

Natasha also represents clients in other forms of technology and IP-related litigation, including disputes involving patents, trade secrets, trademarks, copyrights, false advertising, and restrictive covenants and non-competes. Natasha frequently serves as lead counsel for clients in U.S. litigation, successfully arguing numerous Markman and summary judgment hearings, and presenting opening arguments, and conducting direct and cross-examinations of fact and expert witnesses at trial. She has also represented clients in discovery proceedings conducted in Germany under the Hague Convention. In addition, she advises international and domestic clients on IP matters and helps them navigate IP disputes.

Natasha has been recognized as a Georgia *Super Lawyers* "Rising Star" and listed among The Best Lawyers in America.

Matters

Representing a financial services company in its comprehensive response to a cybersecurity incident involving roughly 147 million consumers.

Representing a healthcare services provider in a security incident involving the theft of personally identifiable information and personal health information.

Representing various state public school systems as incident response counsel and on cybersecurity and privacy counseling matters.

Represented a national retailer in investigating an account takeover incident and the unauthorized transfer of funds.

Represented a manufacturer in the suspected insider theft of sensitive company information and trade secrets.

Represented a healthcare services provider in investigating and containing a cyber-attack involving medical systems and devices.

Represented a healthcare client in the investigation and uncovering of a fraud scheme in which an employee was using stolen identities to defraud a non-profit.

Secured a complete defense verdict of non-infringement of two patents for a leading integrated textile company following a five-week trial; the verdict was affirmed by the Federal Circuit on appeal. The suit was brought by a competitor, who claimed that our client infringed by making and selling specialized cold-weather fabrics manufactured for the U.S. military.

Won summary judgment of invalidity for Internet Security Systems (ISS) in a patent infringement action involving multiple patents related to computer network security and systems. The Court's summary judgment ruling was later affirmed by the Federal Circuit. After a subsequent jury trial on the remaining patents, won judgment as a matter of law that ISS did not infringe any of the remaining patents-in-suit. The Federal Circuit affirmed the final non-infringement judgment in favor of ISS.

Successfully defended Superior Essex in a jury trial against patent infringement claims relating to high-speed telecommunications cables. The jury found that three asserted patents were invalid. One additional patent was found invalid after post-trial motions.

Defended IBM in a patent infringement suit relating to object code optimization technologies and methods; secured summary judgment ruling that 13 of the asserted patent claims were invalid on indefiniteness grounds and a favorable claim construction order in which the court granted virtually all of IBM's proposed claim constructions.

Lead counsel for Landis+Gyr in a multi-patent infringement suit relating to wireless telecommunications and smart grid technologies. Case settled favorably prior to expert discovery.

Lead counsel for Oncor Electric Delivery Company in a patent infringement suit directed to metering technologies and communications. Convinced plaintiff to voluntarily dismiss case pre-scheduling conference upon presenting non-infringement case.

Defended Spanx in ten-patent case involving shapewear garments; secured dispositive claim construction rulings and invalidated two patents on indefiniteness grounds.

Successfully defended higher education institutions during a multi-week trial against claims by several academic publishers that a university's electronic reserve system caused or facilitated copyright infringement.

Lead counsel for plaintiff mortgage banker in federal district court action brought against banker's

bank for trademark infringement. Secured summary judgment ruling that defendants were liable for willful trademark infringement and use of false designations of origin and unfair competition under the Lanham Act, as well as multiple violations of Georgia trade and unfair competition laws; case settled favorably following ruling.

Represented Visa USA, Inc., FleetBoston Financial Corporation, and Providian Financial Corporation in three separate patent infringement actions involving financial services systems for connecting credit and debit cards with embedded microprocessor chips (“smart cards”) to the Internet; case settled favorably.

Credentials

EDUCATION

J.D., Georgia State University, summa cum laude

B.S.C.P.E., North Carolina State University

ADMISSIONS

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Eleventh Circuit

U.S. Patent and Trademark Office

U.S. District Court for the Northern District of Georgia
Georgia

ASSOCIATIONS

State Bar of Georgia

U.S. Patent & Trademark Office

LANGUAGES

German

Recognition

Lawyer of the Year 2020: Litigation - Patent; Patent Law in Atlanta

BEST LAWYERS

Recognized as a Georgia SuperLawyer Rising Star

Listed among The Best Lawyers in America

Insights

CLIENT ALERT

May 15, 2019

Imposter Websites Prompt Regulatory Warning to Financial Industry

April 2, 2019

Financial Services: UK Regulators Shine a Spotlight on Cybersecurity and Technology Resilience

Events

CONFERENCE

May 8, 2019

U.S. Patent Law Seminar

May 1, 2019

6th Annual Cybersecurity & Privacy Summit

May 1, 2018

5th Annual King & Spalding Cybersecurity & Privacy Summit

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News

IN THE NEWS

August 22, 2019 • Source: Law360

Jeff Bucholtz, Natasha Moffitt and Joshua Mitchell counsel to the Federal Reserve banks in a Federal Circuit appeal against Bozeman Financial

August 7, 2019 • Source: Law360

Natasha Moffitt, Jeff Bucholtz and Josh Mitchell represent the Federal Reserve Banks on appeal, arguing that a recent Supreme Court decision does not preclude the Banks from challenging patents under the America Invents Act

RECOGNITION

August 16, 2019

The Best Lawyers in America Recognizes 115 King & Spalding Lawyers in its 2020 Guide

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