



## Robert P. Latham

Partner, Dallas & Houston

214.953.6095

blatham@jw.com

---

### Practice Areas

- Trial & Appellate Litigation
- Intellectual Property

### Experience

- Appellate
- Artificial Intelligence
- Business Litigation
- Copyrights
- Cybersecurity, Data Protection, & Privacy
- Digital
- Entertainment Litigation
- Entertainment, Digital, & Sports
- Intellectual Property Litigation
- Media
- Media Litigation

This website uses cookies to improve your experience. We'll assume you're ok with this, but you can opt-out if you wish. [Read More](#)

Accept

Decline

Cookie Settings

---

## Biography

In his 40 years as a trial lawyer, Bob Latham has distinguished himself in multiple areas. He has developed nationally recognized expertise in the areas of media law, commercial litigation, and intellectual property litigation. Among other accolades, Bob has been inducted as a fellow of The American College of Trial Lawyers. In addition to media, intellectual property, and complex commercial litigation, his practice involves unfair competition, securities, fiduciary, employment, professional negligence, banking, construction, real estate, product liability, telecommunications, energy, international, and class action matters.

Bob relishes and excels in the courtroom, and if a case cannot be resolved or disposed of in any other way he will be ready, willing, and able to try it. Bob believes that litigation is fluid, and it is therefore important to stay in close communication with his clients to make sure that the objectives are clear at all times and that there is an efficient strategy in place for achieving them.

As well as being a versatile trial lawyer, Bob is a published author and columnist, and a much sought-after speaker nationally and internationally. He has spoken on matters related to the rights of free speech, technology and intellectual property litigation, advocacy and litigation strategy, dispute resolution and sports – from Antwerp to Cape Town, Rio de Janeiro to Glasgow, Yangzhou to Melbourne, and Seattle to Miami. His publications sometimes take a humorous look at the legal profession. Bob has been interviewed many times by media outlets including CNN, ESPN, *USA Today*, *The New York Times*, and *60 Minutes Sports*.

Bob serves as the Chairman of ARTICLE 19, a non-governmental organization based in London that promotes freedom of expression around the world. He has also served on the Executive Board of World Rugby, based in Dublin, since 2011. He is a U.S. Rugby Hall of Fame inductee.

### Education

A.B., Stanford University  
J.D., University of Virginia School of Law

### Bar Admissions

Texas

### Court Admissions

## Practice Experience

### Representative Media Cases

- *Immanuel v. CNN* (United States District Court for the Southern District of Texas, 2022) Counsel for CNN and Anderson Cooper in libel suit brought by a medical doctor who advocated hydroxychloroquine to treat COVID-19. The court granted a 12(b)(6) motion to dismiss finding that CNN's reports were true, constituted protected opinion, were fair comment, and/or were published without actual malice.
- *William Stephens, et al. v. KTRK Television et al.* (State District Court, Houston, Texas, 2007) Counsel for media defendants in a case involving allegations of invasion of privacy and violations of the Texas wiretap statute. Jury verdict for defendants.
- *Fowler v. ABC, Inc., Diane Sawyer et al.* (United States District Court for the Northern District of Texas, 2003) Counsel for ABC, Diane Sawyer and other defendants in a libel action brought by a cosmetic surgeon named in a "20/20" broadcast focusing on cosmetic surgery. Summary judgment granted in favor of defendants, finding that the story was true or substantially true.
- *Abdel-Hafiz v. Fox Entertainment Group, Inc., Bill O'Reilly, et al.* (State District Court, Fort Worth, Texas, 2007). Counsel for Fox and Bill O'Reilly in lawsuit brought as a result of a series of broadcasts of "The O'Reilly Factor" regarding FBI failures prior to 9/11. Summary judgment rendered by appellate court, after motion was denied in the trial court, in favor of defendants Fox and O'Reilly. 240 S.W. 3d 524 (Tex. App.–Fort Worth 2007, pet. denied)
- *Newspaper Holdings, Inc., IntegraCare of Texas, LLC and Charlotte Patterson v. Crazy Hotel Assisting Living, Ltd., Crazy Hotel Assisted Living, GP, LLC, Leisure Life Senior Apartment Housing, II, Ltd. and Charles V. Miller, Jr.*, 416 S.W.3d 71 (Tex. App. – Houston [1<sup>st</sup> Dist.] 2013, pet. denied) – Defense of libel case against client IntegraCare. Case of first impression on application of commercial speech exception to Texas anti-SLAPP law. Court of Appeals entered a judgment granting dismissal of

in a defamation case involving the Fort Worth Mounted Patrol. Summary judgment granted in favor of NBC.

- *Shanks v. ABC, Inc., Brian Ross, et al.* 1 S.W.3d 230 (Tex. App.– Corpus Christi, 2000) Counsel for defendants, including ABC and its chief investigative reporter, Brian Ross, in defense of libel case resulting from ABC “Primetime Live” broadcast over airline parts. In one of the first uses of the interlocutory appeal statute for libel cases in Texas, appellate judgment rendered in favor of defendants.

## Representative Intellectual Property Cases

- *Iovate Health Sciences, Inc. v. BSN & Medical Research Institute*, 586 F.3d 1376 (Fed. Cir. 2009). Counsel for Defendant/Appellee Medical Research Institute. Summary judgment in favor of defendants granted by the United States District Court for the Eastern District of Texas on invalidity grounds upheld by the Federal Circuit. The court found that patent claims directed to the administration of dietary supplements to enhance recovery from fatigue were anticipated by a prior printed publication.
- *Loeb v. Mako, L.L.C. d/b/a Padua Realty Company* (Fifth Circuit Court of Appeals, 2023). Counsel for subsequent owner of senior housing facility defending claims of copyright infringement and DMCA violations brought by an architect who had prepared preliminary drawings on the project. The Southern District of Texas granted summary judgment on the plaintiff’s copyright claims on the basis of an implied non-exclusive license and an express license. The district court further granted summary judgment on the DMCA claims, finding lack of scienter. The Fifth Circuit Court of Appeals denied rehearing en banc in the case, setting critical precedent as to licensing, contracts, and copyright law.
- *Mobility Electronics v. Formosa Electronics, et al.* (United States District Court for the Eastern District of Texas and International Trade Commission in Washington, D.C. 2006) Counsel for Mobility Electronics in this patent infringement and trade secrets misappropriation case against a Taiwanese manufacturer of power supplies for electronic devices. Suit was initiated before the International Trade Commission and was subsequently litigated in the Eastern District of Texas. Following a Markman hearing, the

in patent infringement suit over two business method patents involving a computer assisted parts sales method and an electronic proposal preparation system. Case settled on behalf of some defendants and tried to a verdict with regard to remaining defendant. That defendant prevailed at trial on non-infringement grounds on one patent in suit, and prevailed on appeal on invalidity grounds on the other patent in suit. 605 F.3d 967 (Fed. Cir. 2010).

- *CBS Operations Inc. v. Reel Funds International* (United States District Court of the Northern District of Texas 2007). Counsel for CBS in this copyright infringement case alleging copyright infringement of CBS's famous television series "The Andy Griffith Show." Motion for summary judgment granted on behalf of CBS, finding infringement.
- *North American Container, Inc. v. Plastipak Packaging Inc., et al.*, 415 F.3d 1335 (Fed. Cir. 2005) Counsel for defendant Reckitt Benckiser Inc. in this patent infringement case involving PET (polyethylene terephthalate) bottles. Following a Markman hearing, the United States District Court for the Northern District of Texas granted summary judgment for Reckitt Benckiser. Summary judgment was upheld by the Federal Circuit Court of Appeals.
- *King v. Collectables Records et al.* (United States District Court for the Northern District of Texas) Counsel for defendant record company in jury trial for copyright, Lanham Act, and unfair competition claims. Take nothing judgment entered for Collectables Records.

## Representative Commercial/Fiduciary/Employment Cases

- *Aldape v. Francisca de la Hoya de los Santos et al.* (State District Court, Dallas, Texas 2003) Counsel for the two primary defendants, Sanisca Investments, S.A., a Panamanian Corporation, and Francisca de la Hoya de los Santos of Mexico, in a case involving alleged fraudulent transfer of \$40 million out of the United States. After three days of trial, the case settled immediately after cross-examination of plaintiff's expert witness.
- *Bombardier Aerospace Corporation v. PAH Co., et al.* (State District Court, Dallas, Texas 2007). Counsel for Bombardier in a dispute involving the sale of a fractional interest in a Lear Jet airplane and operation of the Flex Jet program. Jury verdict rendered in favor of

part, reversed and remanded in part, No. 05-08-00865-CV (Tex. App. – Dallas, Texas June 2, 2010), after which the case settled.

- *Brotemarkle v. Walt Disney Company et al.* (State District Court, Houston, Texas 2003) Counsel for defendants in employment case in which a former promotions manager of Radio Disney Houston sued the station claiming retaliatory discharge for filing a workers compensation claim. Jury verdict for defendants.
- *In Re Estate of Edward D. Hayden, Sr. deceased* (Probate Court of Dallas County 2000) Counsel for sons of decedent in competing claims to multimillion dollar estate. After a one and a half week trial, the jury rendered a verdict, and judgment was entered, in the sons' favor and a constructive trust was imposed for the benefit of the sons. That judgment was affirmed in part, remanded in part and reversed in part on appeal, after which the case settled.

#### Recognition & Accolades

- Fellow, American College of Trial Lawyers
- American Board of Trial Advocates
- International Association of Defense Counsel
- Texas Super Lawyer, *Super Lawyers* by Thomson Reuters, 2007-2023
- *The Best Lawyers in America* (Woodward/White Inc.), 2007-2024
  - Commercial Litigation, 2013-2024
  - First Amendment Law, 2009-2024
  - Litigation – First Amendment, 2011-2024
  - Litigation – Intellectual Property, 2011-2024
  - Litigation – Patent, 2011-2024
  - Sports Law, 2007-2024
  - Lawyer of the Year – Dallas/Fort Worth, Sports Law, 2018, 2021, 2024
- *Lawdragon* 500 Leading Litigators in America, 2023-2024
- The 50 BTI Client Service All-Stars Most Viewed by Clients — and Everyone Else, BTI Consulting Group, 2022
- BTI Client Service All-Star, BTI Consulting Group, 2020
- *Chambers USA: America's Leading Lawyers for Business*, Ranked for Litigation: General Commercial – Texas, 2009
- Inductee, US Rugby Hall of Fame, 2023
- Inductee, Texas Rugby Union Hall of Fame, 2018

#### Publications & Speeches

This website uses cookies to improve your experience. We'll assume you're ok with this, but you can opt-out if you wish. [Read More](#)

Accept

Decline

Cookie Settings

in 2009.

- Speaker, "Hot Issues in Reporter's Privilege," American Bar Association Forum on Communications Law, Santa Barbara, CA (February 2024)
- Speaker, "Sports Law Post-Covid," Commonwealth Law Conference, Goa, India (March 2023)
- Featured insights in "USA: Supreme Court decision will have global impact on free speech online," ARTICLE 19 (February 2023)
- Speaker, "Hot Issues in Libel & Privacy," American Bar Association's Forum on Communications Law, New Orleans, La. (February 2023)
- Co-Author, "Texas Court Grants CNN's Motion To Dismiss Doctor's \$100 Million Defamation Suit," Media Law Resource Center (September 2022)
- Speaker, "Hot Issues in Access & Newsgathering," American Bar Association's Forum on Communications Law, Virtual (February 2022)
- Speaker, "Hot Issues in Libel & Privacy," American Bar Association's Forum on Communications Law (January 2021)
- Speaker, "Highlights of 2021 and Predictions for Media Law in 2022," Media Law Resource Center (January 2022)
- Speaker, "Protecting the Fourth Estate: can the law sustain a free press when states threaten journalistic freedom?" Commonwealth Lawyers Conference, Nassau, The Bahamas (September 2021)
- Speaker, "The Facebook Oversight Board at Six Months?" Media Law Resource Center Webinar (May 2021)
- Speaker, "Student Journalists in Harm's Way," Broadcast Education Association, Denton, Texas (April 2021)
- Speaker, "Hot Issues in Libel & Privacy," American Bar Association's Forum on Communications Law (January 2021)
- Speaker, "Hot Issues in Libel & Privacy," American Bar Association's Forum on Communications Law, Austin, Texas (February 2020)
- Speaker, "Hot Issues in Libel & Privacy," American Bar Association's Forum on Communications Law, Miami Beach, Fla. (February 2019)
- Noted in "Social Media Councils: From Concept to Reality," Stanford University's Global Digital Policy Incubator, Palo Alto, California (February 2019)

This website uses cookies to improve your experience. We'll assume you're ok with this, but you can opt-out if you wish. [Read More](#)

Accept

Decline

Cookie Settings

- Author, "Understanding The First Amendment," Jackson Walker Insights (2018)
- Debater, "Oxford-Style Debate: Privacy Law Is Out Of Control," Media Law Resource Center London Conference 2017, London, England (September 2017)
- Speaker, "Truth, Fact & Spin" News Seminar, The National Academy of Television Arts & Sciences Lone Star Chapter (August 2017)
- Author, "Of Free Speech and Thick Skin," Jackson Walker Insights (2017)
- Speaker, "Hot Issues in Libel and Privacy," ABA Forum on Communications Law, Naples, Fla. (February 2016)
- Speaker, "Risk Mitigation for a Newsroom in Crisis," KU School of Law Media and the Law Seminar, Kansas City, Mo. (April 2015)
- Speaker, "Legal Implications of User-Generated Content," 24th Annual Entertainment Law Institute, Dallas, Texas (November 2014)
- Speaker, "Hot Issues on the Internet and Data Privacy," American Bar Association's Forum on Communications Law, Aventura, Fla. (February 2014)
- Author, "Recognizing Current Juror Attitudes Toward the First Amendment," Jackson Walker Insights (2013)
- Speaker, "Hot Issues in Internet Law," ABA Forum on Communications Law, Dana Point, Calif. (2013)
- Author, "The Role of 'Character' in Libel Litigation," *Communications Lawyer*, Volume 29, Number 2 (November 2012)
- Speaker, "Online News: Redefining Journalism," MLRC Institute, Dallas, Texas (July 2012)
- Speaker, "Hot Issues in Ethics," ABA Forum on Communications Law, Orlando, Fla. (2012)
- Author, "Gladys Kravitz, Penn State, and JFK," Jackson Walker Insights (2011)
- Author, "The Changing Nature of Fame," Jackson Walker Insights (2011)
- Author, "Book Review: Too Much to Know," Jackson Walker Insights (2011)
- Speaker, "Protecting American Free Speech When Publication is Global – An Update on International Libel Law," Houston Bar Association, Houston, Texas (2010)

This website uses cookies to improve your experience. We'll assume you're ok with this, but you can opt-out if you wish. [Read More](#)

Accept

Decline

Cookie Settings



- Speaker, “Ethical Issues in Speaking to the Media,” Dallas Association of Corporate Counsel, Dallas, Texas (October 2009)
- Speaker, “Newsroom Legal Issues,” Southwest Broadcast Newsroom Workshop, Southern Methodist University (October 2009)
- Speaker, “Hot Issues in Libel and Privacy,” ABA Forum on Communications Law, Scottsdale, Ariz. (2009)
- Author, “Deconstructing Branzburg,” Jackson Walker Insights (2009)
- Speaker, “Trial Tales” and “Content Gathering,” NAA/NAB/Media Law Resource Center Conference, Chantilly, Va. (2008)
- Author, “Edward R. Murrow in Russian,” Jackson Walker Insights (2008)
- Author, “A Democracy of ‘Lamprooning and Spoofing’,” Jackson Walker Insights (2008)
- Speaker, “Reporter’s Privilege & Access to Public Documents,” Texas Community Newspaper Association, Austin, Texas (March 2006)
- Speaker, “Cameras in the Jury Room,” Dallas Bar Association, Dallas, Texas (April 2003)
- Speaker, “Access and Subpoenas,” NAA/NAB/Media Law Resource Center Conference, Alexandria, Va. (2004)
- Faculty, ABA Forum on Communications Law, Scottsdale, Ariz. (2003)
- Speaker, “Law & The Media,” Houston Bar Association, Houston, Texas (February 2000)

## Intellectual Property

- Moderator, “Views from the Bench About IP Litigation Practice: A Conversation With Texas Judges,” American Bar Association’s Intellectual Property Litigation in Texas (February 2015)
- Author, “The Top 10 People You Might See at a Patent Litigation Scheduling Conference in the Eastern District of Texas,” *IP Litigation Insider* (April 2014)
- Speaker, “Patent Litigation: Past, Present & Future,” Dallas Bar Association, Dallas, Texas (September 2013)
- Author, “Paul Simon & The Take Down Debate,” Jackson Walker Insights (2012)
- Speaker, “IP Litigation from a US and European Perspective,”

This website uses cookies to improve your experience. We'll assume you're ok with this, but you can opt-out if you wish. [Read More](#)

Accept

Decline

Cookie Settings

- Speaker, “Current Trends in Media and IP Litigation,” Southwestern Law School, Los Angeles, Calif. (December 2010)
- Speaker, “Effective Legal Writing,” International Trademark Association Annual Meeting, Boston, Mass. (May 2010)
- Speaker, “Legal Implications of User Generated Content: YouTube, MySpace, Facebook,” 45th Intellectual Property Law Conference sponsored by the Center for American & International Law, Plano, Texas (2007)
- Speaker, “The Eastern District of Texas Comes to New York,” New York State Bar, New York City, N.Y. (2007)
- Speaker, “Defending a Patent Litigation Case,” American Corporate Counsel Annual Conference, Chicago (2007)
- Speaker, “Legal Aspects of the Film and Music Industries,” Texas State Bar CLE on E-Copyright Issues, Austin, Texas (2002)

## Sports

- Columnist, *Winners & Losers*, *SportsTravel Magazine* (2006-Present)
- Panelist, “Case Study: Rugby World Cup,” TEAMS Europe Conference (June 2023)
- Speaker, “Sports Law Post COVID,” Commonwealth Lawyers Conference, Goa, India (March 2023)
- Panelist, “Put Me In Coach! A Discussion of Eligibility for High School, College, and Olympic Athletes,” Dallas Bar Association Entertainment, Arts, and Sports Law Section (August 2022)
- Speaker, “Sports, Athletes and the Media: Is the Balance of Power Shifting?” Media Law Resource Center Webinar (August 2021)
- Speaker, “Principles of Good Governance in Sports,” Sports Integrity Forum, London, England (November 2016)
- Speaker, “Rio 2016: Legal Hurdles Within the World’s Premier International Sporting Event,” University of Virginia School of Law, Charlottesville, Va. (March 2016)
- Speaker, “Trends in American Sports Arbitration and Jurisprudence,” Australian Bar Association, Washington, D.C. (July 2015)
- Speaker, “International Sporting Events: Challenges and Opportunities from a Lawyer’s Perspective” Globalaw Annual Meeting, Rio de Janeiro, Brazil (November 2014)
- Speaker, “The Evolving Landscape of College Athletics,” Texas

This website uses cookies to improve your experience. We'll assume you're ok with this, but you can opt-out if you wish. [Read More](#)

Accept

Decline

Cookie Settings

---

Entertainment Law Symposium, Charlottesville, Virginia (February 2014)

- Speaker, “Playing Fair? Sports Law in the Commonwealth,” Commonwealth Lawyer’s Conference, Cape Town, South Africa (2013)
- Author, *Winners & Losers: Rants, Riffs & Reflections on the World of Sports*, Greenleaf Book Group Press (October 2012)

### Other Legal Issues

- Guest, “Texas Supreme Court Sets Parameters on Attorney Immunity Privilege,” Jackson Walker *Fast Takes* Podcast (August 2021)
- Speaker, “Teaching New Dogs Old Tricks: Using Traditional Litigation Tools for Strategic Advantage,” Association of Corporate Counsel Annual Meeting, Seattle, Washington (2008)
- Speaker, “Corporate Crises,” Martindale-Hubbell Counsel to Counsel Forum (May 2003)

### Community Involvement

- American College of Trial Lawyers, Fellow
- ARTICLE 19
  - Chairman, 2022-Present
  - International Board Member and Trustee, 2018-Present
- American Board of Trial Advocates
- International Association of Defense Counsel
- Master of the Barbara M.G. Lynn Inn of Court
- American Bar Association (ABA) Forum on Communications Law, Governing Committee Member, 2013-2023
- American Bar Foundation, Life Fellow
- Media Law Resource Center – Defense Counsel Section
  - Executive Committee Member
  - President, 2013
- United States Olympic Committee, Board of Directors, 2000-2004
- USA Rugby
  - Board of Directors, 1994-2016
  - Chairman, 2006, 2014-2016
- World Rugby (formerly International Rugby Board) Council, 2011-Present
  - Executive Board, 2011-Present
  - Regulations Committee Chairman, 2012-Present

---

This website uses cookies to improve your experience. We'll assume you're ok with this, but you can opt-out if you wish. [Read More](#)

Accept

Decline

Cookie Settings

- Rugby Americas (formerly Pan American Rugby Association), Vice President, 2012-Present
- Dallas All Sports Association
  - Board of Directors, 1997-Present
  - President, 2005
- Adjunct Professor, Media Law & Regulation, University of North Texas, 2021-Present

Areas of Focus

## **Media Law**

Bob's Media Law practice has involved representation of international, national, and local media clients at the trial court and appellate court level regarding the following matters:

- Libel
- Invasion of privacy
- Newsgathering
- Access to information
- Prior restraints
- Right of publicity
- Pre-publication review

Bob also serves as the Chairman of the International Board of ARTICLE 19, an NGO based in London that promotes freedom of expression worldwide.

## **Intellectual Property Litigation**

Bob has handled intellectual property litigation in jurisdictions from California to Massachusetts, from the International Trade Commission in Washington, D.C. to the four federal district courts within Texas. Those cases involve the following:

- Patent litigation
- Copyright litigation
- Trademark litigation
- Unfair competition
- Trade secret disputes
- Injunctions

His patent litigation cases have involved computer software and

This website uses cookies to improve your experience. We'll assume you're ok with this, but you can opt-out if you wish. [Read More](#)

Accept

Decline

Cookie Settings

---

## Fiduciary Litigation

- Disputes over choice of personal representative
- Disputes over removal or appointment of trustees
- Disputes involving trusts
- Representation of estates
- Will contests

## Other Types of Litigation

- Complex commercial cases
- Representation of financial institutions
- Securities
- Class actions
- Employment
- International disputes and arbitration
- Entertainment litigation
- Sports disputes

---

This website uses cookies to improve your experience. We'll assume you're ok with this, but you can opt-out if you wish. [Read More](#)

Accept

Decline

Cookie Settings

---