

**Jeffrey Blumenfeld**

Partner

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**Washington**

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**Practice Areas**

- Antitrust
- Intellectual Property
- Plaintiff's Recovery
- Complex Litigation
- Renewable Energy

**Jeffrey Blumenfeld** is a partner at Crowell & Moring, specializing in antitrust and complex litigation, including cartel investigations and trials, competition issues facing technology companies, and the intersection of intellectual property and competition law.

Jeffrey has significant antitrust experience in counseling, litigation and trial of both civil and criminal antitrust matters. He has defended corporations and individuals in criminal price-fixing investigations and trials, and has represented both plaintiffs and defendants in monopolization and attempted monopolization cases, as well as in mergers and acquisitions.

Jeffrey's years of trial experience in complex civil and criminal cases - as an Assistant United States Attorney, at the Antitrust Division, and in private practice - equip him to meet clients' needs when trial is the best option.

A long-time trial attorney in the Antitrust Division of the U.S. Department of Justice, Jeffrey served as chief of the Department's trial staff in *United States v. AT&T* and also served as assistant chief of the Special Regulated Industries Section.

Jeffrey has extensive legal experience with technology-driven issues, including the overlap among technology, intellectual property and competitive issues. Jeffrey serves as antitrust counsel to Via Licensing, the nation's leading administrator of IP licensing programs, and is counsel to the Open Patent Alliance, which was formed to accelerate the widespread adoption and deployment of WiMAX technology and products. In the technology space, Jeffrey works closely with senior management - including CEOs, CFOs, marketing, sales and strategic business units.

In addition to serving on the Boards of Directors of several client companies, Jeffrey served as Chief Legal Officer and General Counsel of Rhythms

NetConnections Inc., a broadband network facilities and services provider, from its founding in mid-1997 to March, 2001.

Based on his expertise in competition and strategy in technology industries, Jeffrey was chosen by former Assistant Attorney General for Antitrust Anne Bingaman, as well as by her successor, Joel Klein, to serve as special counsel to the Antitrust Division on a number of high-profile antitrust investigations, including the investigations that became *US v Visa and MasterCard*, and *US v Microsoft*.

His broad experience enables Jeffrey to consistently represent his clients across multiple forums, including in federal and state courts, at the Department of Justice, before the Federal Communications Commission, and in Congress. Jeffrey is also one of the most experienced regulatory litigators, and has litigated and tried matters at the FCC and at state commissions across the country, ranging from complex engineering and technology issues, to economic, costing and pricing issues, to competitive conduct issues.

Adjunct Professor at Georgetown University Law Center, offering courses in Communications Law and Trial Practice, Jeffrey is also a regular speaker at industry conferences, as well as at meetings of state and federal communications regulators.

A *cum laude* graduate of Brown University in Philosophy of Religion, Jeffrey earned his J.D. from the University of Pennsylvania.

### Recognition

- *Best Lawyers in Washington* (Antitrust) (2009, 2010, 2011)
- *Who's Who in the World* (1996 - 2011)
- *Who's Who in America* (1996 - 2011)
- *Who's Who in the Law* (1996 - 2011)
- *The International Who's Who of Regulatory Communications Lawyers* (2003 - 2011)

### Education

- Brown University, Philosophy of Religion
- University of Pennsylvania Law School, J.D.

**Affiliations**

Admitted to practice: District of Columbia

**Publications**

- "The European Commission Guidelines on Horizontal Cooperation Effective from January 15, 2011," *The AIPLA Antitrust News* (February 2011). Co-Authors: Jeffrey Blumenfeld and M. Brinkley Tappan.
- "Intellectual Property & Antitrust 2009 - USA," *Getting the Deal Through - Global Competition Review* (2008). Co-Authors: Robert A. Lipstein, Jeffrey Blumenfeld, Olivier N. Antoine and Timothy Carson.
- "The Next Telecom Frontier: A 'Net Neutrality' Primer," *Global Competition Review of the Americas* (October 2006). Co-Authors: Robert Lipstein and Jeffrey Blumenfeld.
- "Most Action in 50 Years," *Global Competition Review* (June 2006). Co-Authors: Jeffrey H. Howard, David M. Schnorrenberg and Jeffrey Blumenfeld.
- "Complicated Confessions: With Regulators in Multiple Jurisdictions, a Rush for Global Amnesty Gets Tricky," *Legal Times*, Vol. XXIX, No. 12 (March 20, 2006). Co-Authors: Jeffrey Blumenfeld, Robert Lipstein and Volker Soyez.
- "Application of US Antitrust Law in the Telecommunications Industry in an Era of Rapid Change," *Antitrust Review of the Americas 2006* (September 2005). Co-Authors: Wm. Randolph Smith, Jeffrey Blumenfeld and Robert M. Halperin.

**Alerts & Newsletters**

- "Eighth Circuit Approves Use of Fraud Guidelines for Antitrust Crimes," *White Collar Alert* (May 3, 2012). Contacts: Daniel L. Zelenko, Stephen M. Byers, Jeffrey Blumenfeld, Daniel A. Sasse, Jeffrey H. Rutherford, Kyler E. Smart, Shamiso Maswoswe.
- "FTC Hosts Workshop on Intellectual Property Rights In Standard Setting: Tools to Prevent Patent Hold-Up," *Antitrust Law Alert* (June 29, 2011). Contacts: Jeffrey Blumenfeld, M. Brinkley Tappan.
- "Federal Circuit's En Banc *Princo* Decision Limits Patent Misuse Doctrine," *Antitrust Law Alert* (September 2, 2010). Contacts: Robert A. Lipstein, Jeffrey Blumenfeld, Astor Heaven.
- "Second Circuit Wants Full Court Review of Reverse Exclusionary Settlement Payments," *Antitrust Law Alert* (May 3, 2010). Contacts: Daniel D. Edelman, Jeffrey Blumenfeld.
- "Federal Trade Commission Charges Intel With Anticompetitive Conduct; Commits to Expedited Administrative Trial and Decision,"

*Antitrust Law Alert* (December 16, 2009). Contacts: Robert A. Lipstein, Jeffrey Blumenfeld, Ryan C. Tisch.

- "Compulsory Licensing As An Antitrust Remedy," *Antitrust Law Alert* (February 20, 2007). Contacts: Jeffrey H. Howard, Mark Supko, Jeffrey Blumenfeld.
- "International Trade Bulletin - Volume 1, Issue 5," *International Trade Bulletin* (May 16, 2006). Contacts: Jeffrey L. Snyder, Robert A. Lipstein, Jeffrey Blumenfeld, Melissa Coyle, Lorraine B. Holloway, R. Bruce Keiner Jr., Alexander H. Schaefer, Carrie F. Fletcher.

### Speaking Engagements

- "Antitrust: Is Anyone on DOJ's Radar? – Update on Trends in Competition Enforcement in the US and the EU," Law Seminars International (December 2011). Panelists: Jeffrey Blumenfeld; Chris Meyers (Associate General Counsel for Competition, Microsoft).
- "Antitrust Update," ABA Antitrust Section Teleconference, sponsored by the Corporate Counseling Committee (May 2009). Co-Presenters: Jeffrey Blumenfeld, Christine L. White, Shawn R. Johnson, Daniel L. Zelenko and Sean-Paul Brankin.
- "Impact of Criminal Liability in the US," IBC Legal Conferences: Cartel Risks - Discussing major legal challenges and developments in Europe, Brussels (March 6, 2009). Speaker: Jeffrey Blumenfeld.
- "Lessons Learned from Antitrust Litigation in the US: Key Skills and Tactics Needed to Conduct Class Actions," *The Lawyer's* (Magazine) Third Annual Antitrust Litigation Conference, discussing shaping a fair and balanced litigation environment, London (November 25-26, 2008). Speaker: Jeffrey Blumenfeld.
- "Antitrust and SSO Developments," 4th Annual Advanced Patent Law Institute at USPTO (November 14, 2008). Co-Presenters: Jeffrey Blumenfeld and Robert A. Lipstein.
- "Antitrust Risk in Patent Pool and SSOs: Avoiding Price Fixing and Exclusionary Conduct," Teleconference Sponsored by Legal Publishing Group, Strafford Publications (September 23, 2008). Presenter: Jeffrey Blumenfeld.
- "Patent and Other Technology Pooling," Licensing Executive Society Benelux Meeting - Brussels, Belgium (March 2006). Speaker: Jeffrey Blumenfeld.
- "Antitrust Issues in Intellectual Property," Shanghai University Law School for graduate students, professors, and practitioners - Shanghai, China (November 2005). Speaker: Jeffrey Blumenfeld.
- "Antitrust Risks in Patent Pools," Licensing Executive Society Annual Meeting - Phoenix, Arizona (October 2005). Speaker: Jeffrey Blumenfeld.

- "Telecom Industry Policy Issues in Next Generation Networks," Next Generation Networks: 'NGN 2005' - Washington, DC (September 2005). Organizer and Chair of multi-session program: Jeffrey Blumenfeld.
- "Business Models and Strategies for Technology Startups," Chinese Biopharmaceutical Association Annual Conference - Washington, DC (June 2005). Speaker: Jeffrey Blumenfeld.
- "VoIP: Fixing the Regulatory Framework," Next Generation Networks: 'NGN 2004' - Boston, MA (November 2004). Panel Discussion Chair: Jeffrey Blumenfeld.
- "Rationalizing the Industry: Who Survives and Who Thrives," Next Generation Networks: 'NGN 2004' - Boston, MA (November 2004). Panel Discussion Chair: Jeffrey Blumenfeld.
- "IPR and Antitrust: Challenges of Patent Pooling," Taiwan Business Council and American Institute of Taiwan: Antitrust and the Technology Economy - Taipei (November 2004). Speaker: Jeffrey Blumenfeld.
- "Innovation, Politics and the Future of the American Technology Industry," VORTEX 2004 To Peer into the Future of Enterprise Computing - Santa Barbara, CA (October 2004). Panel Discussion Luminary: Jeffrey Blumenfeld.
- "VoIP: Voice as a Data Application," SuperNova 2004: Setting the IT Agenda - Santa Clara, CA (June 2004). Panelist: Jeffrey Blumenfeld.
- "Does Washington Matter?," Technology and Public Policy, NetWorld+Interop 2004 - Las Vegas, NV (May 2004). Speaker: Jeffrey Blumenfeld.