BIRD MARELLA LLP
BIRD • MARELLA • RHOW • LINCENBERG • DROOKS • NESSIM

Bird Marella Wins Complete Defense Verdict for FIGS

After four years of litigation, a three-week jury trial, and less than one full day of jury deliberations, the Bird Marella trial team, led by lead trial counsel Ekwan Rhow, along with co-counsel Munger Tolles & Olson LLP, won a complete defense verdict for healthcare apparel and lifestyle brand FIGS in a nine-figure false advertising trial in the U.S. District Court for the Central District of California.

FIGS is the publicly traded lifestyle and direct-to-consumer brand that has revolutionized the medical apparel and scrubs industry. Dominant industry giant Strategic Partners, Inc. filed a lawsuit alleging false advertising in violation of the Lanham Act, violations of California's Unfair Competition Law, violations of California's False Advertising Law, and intentional interference with prospective economic relations against FIGS and its co-founders, with claimed damages in excess of $200 million.

After three weeks of trial, Mr. Rhow delivered the closing argument on November 2, 2022, arguing, among other things, that Strategic Partners made "functionally the same" claims that it was suing FIGS on and that any harm it was claiming was due, in fact, to its own failures to build out its direct-to-consumer capabilities. The jury returned the next day with a unanimous verdict in FIGS' favor.

The Bird Marella team was spearheaded by Mr. Rhow, principals Julia Cherlow and Fanxi Wang, counsel Kate Shin, and associate Miri Gold.

Read more on the victory below:
Law360
Daily Journal
Business Wire
Inc. Magazine

Bird Marella regularly handles high-profile trials for industry-leading companies throughout the nation and is recognized in Chambers USA's Elite category of Litigation: General Commercial.

Read more on Bird Marella's complex business litigation practice here.