



## Jason P. Stearns

Partner | Tampa

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### Areas of Practice

Litigation/Trial Practice | Intellectual Property Litigation

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Jason Stearns is a Partner in the Litigation Practice of Smith, Gambrell & Russell, LLP and serves as the Managing Partner of the Tampa office. Mr. Stearns was previously a Partner with Freeborn & Peters, which combined with SGR in 2023.

Mr. Stearns practices in the area of complex commercial litigation. He has litigated several patent, copyright, and trademark infringement claims in federal courts throughout the country. In addition, he also represents clients in various industries with regard to contract, fraud, trade secret, and other business disputes.

Prior to joining the Firm, Mr. Stearns worked at Phelps Dunbar LLP. He also clerked for a federal judge and served in the U.S. Navy aboard two nuclear powered submarines as a nuclear propulsion plant operator and diver.

Mr. Stearns is an Adjunct Professor at Stetson University College of Law, where he teaches courses on Electronic Discovery, Federal Pre-Trial Practice, International Sales, and Arbitration.

Mr. Stearns earned his B.A. from Valdosta State University, and his J.D. from Stetson University College of Law, *cum laude*. He was a member of the Stetson Law Review, a member of the Moot Court Board, received the Edward D. Foreman Most Distinguished Student Award, and a member of the National Order of Barristers.

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## Representative Experience

- Representation of a large plumbing, heating, cooling, and electrical company in a copyright infringement dispute; obtained a successful jury verdict that defendants willfully infringed the client's copyright in a proprietary training manual and defeating intervenor's declaratory judgment claims for invalidity and ownership.
- Representation of an insurance intermediary in a federal court bench trial; obtained a complete defense verdict defeating claims alleging violations of state and federal statutes and unlawful interference with a business relationship as a result of the placement of force-placed hazard insurance on mortgaged properties being serviced by the client's customer.
- Representation of a suntan lotion manufacturer in a trademark infringement dispute with one of its competitors; obtained a successful jury verdict that found the defendant liable for its profits gained by infringing the client's common law trademark rights.
- Representation of a publicly traded silicone manufacturer; obtained a complete jury verdict in a complex U.C.C. matter and obtained a dismissal of all counterclaims seeking seven figure damages.
- Representation of a closely held company that creates and licenses photographic images for use in advertising; obtained a favorable settlement for a copyright holder against several defendants that were using copyrighted photographic images without a license.
- Representation of a manufacturer of silicone gel liners for prosthetics; worked on a team that obtained an eight-figure judgment in a patent infringement lawsuit against a competitor that made products that infringe on that patented technology (silicone-based gel products).
- Representation of a large manufacturer regarding an ingress/egress easement it owned at one of its distribution centers; obtained a "mid-trial" favorable settlement after jury selection and after several rulings by the court on matters of law.

## Admissions

Florida

U.S. District Court, Northern District of Illinois

U.S. District Court, Southern District of Florida

U.S. District Court, Northern District of Florida

U.S. District Court, Middle District of Florida

U.S. Court of Appeals for the Federal Circuit

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U.S. Court of Appeals for the Eleventh Circuit  
U.S. Court of Appeals for the D.C. Circuit  
U.S. Court of Appeals for Veterans Claims  
Supreme Court of the United States

## Memberships

Federal Bar Association, Tampa Bay Chapter

Board of Directors (2014-present)

Executive Committee, Secretary (December 2018-present)

The Florida Bar Civil Procedure Rules Committee

Committee Member (2016-present)

Vice Chair (June 2019-present)

Hillsborough County Bar Association

American Bar Association (Fellow)

Stetson University College of Law (Adjunct Professor and Advocacy Coach)

Defense Research Institute

## Recognitions

*Tampa Magazine* - Top Lawyers 2016, 2018 & 2019 - Litigation: Intellectual Property

*Super Lawyers* - 2021, Intellectual Property Litigation (cited in multiple years)

*Super Lawyers* - Rising Stars - 2017-2018

*Florida Trend Magazine* - 2019 Florida Legal Elite

*Florida Trend Magazine* - Legal Elite Up & Comers

*Tampa Bay Business Journal* - "Up and Comer" - 2016

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## Publications

- Moderator, "A View From the Bench During the COVID-19 Pandemic: A Virtual Conversation with Members of the Judiciary for the Middle District of Florida," The Tampa Bay Chapter of the Federal Bar Association, May 2020
- Co-Presenter, "Witness Court Skills," Federal Bar Association, Tampa Bay Chapter, April 2018
- Co-Author, "The opioid crisis and the products-completed insurance exclusion," *Thomson Reuters' Westlaw Journal Insurance Coverage*, (April 6, 2017)
- Speaker, "Motion Practice Tips and Common Mistakes," Federal Bar Association, Tampa Bay Chapter, January 2017
- Co-Presenter, "Daubert or Frye: Where Do We Go From Here," Sarasota Bench Bar Conference, August 2017
- Co-Presenter, "Daubert In Florida: The Past, Present, and Future", Sarasota Bench Bar Conference, May 2016
- Author, Navigating Intellectual Property, available at <http://www.climbingbusinessjournal.com/navigating-intellectual-property-law/> (July 25, 2016)
- Presenter, "Basic Intellectual Property", Florida Bar "Basic Business Law" CLE, May 2016
- Speaker, "What You Need to Know About Federal Court Practice," Federal Bar Association, Tampa Bay Chapter, July 2015
- Speaker, ACC-WCFL CLE, "Intellectual Property Playbook," July 2015
- Presenter, "Basic Federal Practice", Motions for Summary Judgment, Florida Bar, April 2014
- Moderator, "Judicial Panel on E-Discovery," Federal Bar Association, December 2013
- Speaker, "Update in eDiscovery Case Law", ESI Roundtable, December 2013