



J. Heath Coffman

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Practices

Litigation

Intellectual Property

Professional Liability
Defense

Appellate

Education

J.D. Baylor University
School of Law, 2007,
cum laude

B.A. Texas Christian
University, 2004, *summa
cum laude*, Phi Beta
Kappa

Bar Admissions

State of Texas, 2007

U.S. Court of Appeals,
Fifth Circuit

Heath Coffman has significant experience representing a wide range of clients from individuals and small businesses to large publicly-traded companies in a variety of business and commercial cases and arbitrations. His practice includes representing attorneys and accountants in professional liability cases and in grievance matters. He frequently handles complex commercial litigation involving intellectual property, trade secrets, fraud, breach of contract, breach of employment agreement, and oil and gas cases in both federal and state district and appellate courts, including the U.S. Court of Appeals for the Fifth Circuit. Mr. Coffman also assists clients in protecting intellectual property rights before the United States Patent and Trademark Office, Trademark Trial and Appeal Board, and the United States Copyright Office.

Mr. Coffman was a member of the Texas Uniform Trade Secrets Act Working Group of the State Bar of Texas Intellectual Property and Business Law Sections. He was instrumental in researching and drafting the proposed legislation and preparing the bill analysis in support of the adoption of the Texas Uniform Trade Secrets Act. In 2016, Mr. Coffman was named chair of the Trade Secrets Committee of the Intellectual Property Section of the State Bar of Texas. As part of his work on that Committee, he helped draft the 2017 amendments to the Texas Uniform Trade Secrets Act.

U.S. District Court,
Northern District of
Texas

U.S. District Court,
Eastern District of Texas

U.S. District Court,
Southern District of
Texas

U.S. District Court,
Western District of
Texas

Memberships

State Bar of Texas

Chair, Trade Secrets
Committee, Intellectual
Property Section, State
Bar of Texas (2016-
present)

Tarrant County Bar
Association

Tarrant County Young
Lawyers Association

Bar Association of the
Fifth Federal Circuit

Defense Research
Institute (Professional
Liability Committee)

Claims and Litigation
Management Alliance
(Professional Liability
Committee)

In 2017, Thompson Reuters recognized Mr. Coffman as a Rising Star in Texas Monthly. From 2018 through 2023, Thompson Reuters recognized Mr. Coffman as a Super Lawyer in Texas Monthly. These recognitions signify a high degree of peer recognition and achievement in his practice area.

Mr. Coffman frequently writes about commercial litigation and intellectual property issues on his blog *The Fort Worth Business and Employment Law Reporter*.
www.fwlawreporter.com

Professional Recognition

Super Lawyer for Intellectual Property by *Thompson Reuters, Texas Monthly* (2018-2023)

Texas Rising Star for Intellectual Property by *Thomson Reuters, Texas Monthly* (2017)

List of Top Attorneys for Civil Law and Litigation in *Fort Worth, Texas Magazine* (2022)

List of Top Attorneys for Intellectual Property in *Fort Worth, Texas Magazine* (2011-2014, 2017-2021)

List of Top Attorneys for Intellectual Property Rights in *360 West Magazine* (2019-2021)

List of Top Attorneys for Professional Malpractice (Non-Medical) Defense in *Fort Worth, Texas Magazine* (2015-2017)

List of Top Attorneys for Professional Malpractice (Non-Medical) Defense in *360 West Magazine* (2017-2023)

List of Top Attorneys for Civil Law and Litigation in *360 West Magazine* (2017)

Jerry L. Beane Award for Excellence in Writing, *Baylor Law Review*

Texas Association of
Defense Counsel

Chair, Trade Secrets Committee, Intellectual Property
Section, State Bar of Texas (2016-2021)

Barrister, Eldon B. Mahon Inn of Court (2013-2016)

Experience

MGE UPS Systems, Inc. v. GE Consumer and Industrial, Inc.,
612 F.3d 760 (5th Cir. 2010) – Successfully defended General
Electric in a \$100 million Digital Millennium Copyright Act
(DMCA), copyright infringement, and misappropriation of
trade secrets case involving commercial software for
sophisticated business equipment.

*Arkoma Basin Project, L.P. v. West Fork Energy Co., LLC,
et al.*, 2010 WL 2711086 (5th Cir. 2010) – Obtained and
defended on appeal a take nothing judgment in a multi-
million-dollar securities fraud and breach of contract case
involving the oil and gas industry.

*International Bank of Commerce-Oklahoma v. Lane Gorman
Trubitt, LLC et al.*, 2022 WL 3088577 (Tex. App.—Amarillo
August 3, 2022, pet. dismissed) (mem. op.) – Obtained and
successfully defended on appeal a take nothing summary
judgment for auditors in multi-million-dollar negligent
misrepresentation and fraud case involving the Reagor-Dykes
auto dealerships, which filed for bankruptcy after engaging in
perhaps the largest auto financing fraud in United States
history.

Cause No. DC-18-14393, *Native Oilfield Services, LLC, et al.
v. Settle & Pou, PC*, in the 95th District Court of Dallas County
– Obtained a take nothing verdict and judgment for a major
Dallas law firm in a multi-million-dollar legal malpractice
case.

Ruff v. Wick Phillips Gould & Martin, LLP, No. 11-21-00130-
CV, 2021 WL 3087505 (Tex. App.—Eastland July 22, 2021,
no pet.) – Obtained dismissal and attorneys’ fees award after
successfully litigating Texas Citizens Participation Action

motion to dismiss litigant's claims against former adverse law firm.

QBE Americas, Inc. v. Walker, No. 05-20-00439-CV, 2021 WL 1976459 (Tex. App.—Dallas May 18, 2021, no pet.) – Obtained dismissal and attorneys' fees award after successfully litigating Texas Citizens Participation Act motion to dismiss defamation claims against insurance company.

Phuong Nguyen v. ABL e Commc'ns, Inc., No. 02-19-00069-CV, 2020 WL 2071757 (Tex. App.—Fort Worth Apr. 30, 2020, no pet.) – Obtained dismissal and attorneys' fees award after successfully litigating Texas Citizens Participation Act motion to dismiss trade secrets and breach of fiduciary duty claims against A/V contractor.

CExchange, LLC v. Top Wireless Wholesaler, No. 05-17-01318-CV, 2019 WL 3986299 (Tex. App.—Dallas Aug. 23, 2019, pet. denied) – Obtained judgment against electronics reseller for breach of contract, breach of warranty, and violations of the Texas Deceptive Trade Practices Act.

Weaver and Tidwell, LLP v. The Guaranty Company of North America, 427 S.W.3d 559 (Tex. App.—Dallas, 2014, pet. denied) – Successfully defended major accounting firm in a \$2 million professional negligence case.

J&V Communications Services, Inc. v. Weaver and Tidwell, LLP, American Arbitration Association – Obtained a take nothing judgment and an award of over \$700,000 in attorneys' fees in a professional negligence case involving accountants.

Publications

Coffman, J. H., *et. al.*, “2018 Texas Trade Secret Update,” State Bar of Texas 2019 Advanced Intellectual Property Law Conference (February 27-March 1, 2019)

Coffman, J. H., *et. al.*, “2017 Texas Trade Secrets Update,” Institute for Law and Technology 55th Annual Conference on Intellectual Property Law (November 13, 2017).

Cleveland, J. and Coffman, J.H., “Trade Secrets: Outlining New Amendments to the Texas Uniform Trade Secrets Act,” 80 Tex. B.J. 526 (August 2017).

Coffman, J.H., “Protecting Your Startup Client’s Intellectual Property and Client Relationships: The Intersection of Trade Secrets, Confidentiality Agreements, and Covenants Not to Compete,” State Bar of Texas 2017 Intellectual Property Law Workshop: IP Issues with Technology Start Ups. (February 22, 2017)

Coffman, J. H. and Cleveland, J., “Protecting Trade Secrets Made Simple: How the Recently Enacted Texas Uniform Trade Secrets Act Provides a Legislative Framework for Litigating Cases,” Texas Bar Journal (September 2013)

Coffman, J. H. and Cleveland, Jr., “The Texas Uniform Trade Secrets Act,” 45 Tex. J. of Business Law 322 (Fall 2013)

Coffman, J. H. and Cleveland, J., “Should Texas Adopt the Uniform Trade Secrets Act?” News for the Bar, State Bar of Texas, Litigation Section (Spring 2013)

Coffman, J. H. and Cleveland, J., “Texas Adopts Uniform Trade Secrets Act,” Fort Worth Business Press (August 2013)

Coffman, J. H. and Cleveland, J., “Protecting Your Companies Trade Secrets,” Fort Worth Business Press (May 2009)

Coffman, J. H. “A Look at the New Texas Constitution Article I, section 11B,” 59 Baylor Law Review 241 (2007)

Presentations

The Road to the Courthouse: Court Hierarchy, Appeals, Jurisdiction, Texas Independent Insurance Adjusters Association

Protecting Your Company's Trade Secrets, Intellectual Property Section of the Tarrant County Bar Association

Avoiding the Litigation Target: Best Practices to Meet Your Fiduciary Duty and Stay Out of the Courtroom, Crosshairs, Various Texas Society of Certified Professional Accountants Chapters

Trade Secrets Law for the Professional Landman, Fort Worth Association of Professional Landmen

Protecting Your Startup Client's Intellectual Property and Client Relationships: The Intersection of Trade Secrets, Confidentiality Agreements, and Covenants Not to Compete, State Bar of Texas Intellectual Property Law Workshop: IP Issues with Technology Start Ups. (February 22, 2017)

2017 Texas Trade Secrets Update, Institute for Law and Technology 55TH Annual Conference on Intellectual Property Law (November 13, 2017)

2018 Trade Secrets Update, State Bar of Texas 2019 Advanced Intellectual Property Law Conference (February 27-March 1, 2019)

Community

Director, CASA of Tarrant County (2014-2019)

Director, Child Study Center (2013-present)

Leading Edge Fort Worth (2014)

Co-Chair, Texas Christian University Class of 2004 Gift Committee

Leadership Fort Worth Leadership Class (2016)

Committee Chair, BSA Troop 1703 (2023-present)