



John P. Ashton

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Practice Areas



Intellectual Property



Energy & Utilities



Litigation, Trials & Appeals

Biography

John Ashton's 40-plus years of experience in a multitude of settings around the U.S. has resulted in successful outcomes in such diverse areas as products liability, trade secrets and intellectual property litigation as well as complex commercial real estate and contractual litigation. John has over 40 reported cases covering a spectrum of matters for both plaintiffs and defendants. These matters cover a breadth of clients from large Fortune 100 corporations to individuals with problems based in their own neighborhood. He has handled numerous intellectual property lawsuits for both plaintiffs and defendants involving patent infringement, trademark violations and other trade secret disputes. He has handled class action litigation and successfully represented both plaintiffs and defendants in complex commercial litigation with jury trials lasting for many months.

John has been trial counsel in major mine disasters, patent and trademark infringement litigation, products liability claims, class actions and has represented clients throughout the U.S. in litigation in such diverse locations as Georgia, Illinois, Ohio, Nevada, Idaho, Colorado, California and Utah.

He is a member in good standing in the U.S. Supreme Court, six U.S. Courts of Appeal (1st, 3rd, 10th, 11th, D.C. Circuit and Federal Circuit), as well as Federal Courts in the states of Utah, the District of Columbia, Illinois, Georgia, Colorado, Ohio, Idaho, Minnesota and Michigan.

John is currently the Chairman of the Judicial Performance Evaluation Commission, having been appointed by the Utah Supreme Court, and has been involved in the process of evaluating the performance of the state's judges for more than 25 years. Since 2006, he has been a fellow in the American Bar Foundation, which is an organization limited to a fraction of one percent (1%) of the Utah Bar. He has been consistently ranked at the highest levels of such peer rated organizations as Chambers, Best Lawyers in America, Mountain States Super Lawyers, Martindale Hubbell and other similar ranking organization. He received his BA from Stanford University and his JD from the University of Utah, where he served on the Utah Law Review.

Professional

Shareholder and chairman of the Litigation Department for Van Cott, Bagley, Cornwall & McCarthy 2005-2015

Shareholder and chairman of the Litigation Department at Prince Yeates & Geldzahler 1978-2005

Associate at Prince Yeates & Geldzahler 1974-1978

Attorney with the United States Department of Justice, Civil Rights Division 1971-1974

Listed in Chambers 2009-present in commercial litigation Listed in the Best Lawyers in America 2007-present in commercial litigation, litigation – intellectual property, and litigation – real estate

Mountain States Super Lawyers 2007, 2009-present in commercial litigation and intellectual property litigation

Martindale Hubbell AV Rating Since 1986

Utah State Judicial Performance Evaluation Commission, Commissioner

2008-Present; Chairman 2015-Present Utah State Judiciary, Judicial Performance Evaluation Committee, Chairman 1995-2007

Member of the Federal Mediation Panel 1993-present

Representative Projects

Successfully represented a major Utah ski resort in a two-month jury trial that resulted in a jury verdict in excess of \$54 million for the client which was affirmed on appeal. *ASC Utah, Inc. v. Wolf Mt. Resorts*, Sup. Ct. 309 P.3d 201 (UT 2013).

Successfully represented the plaintiff class in a jury trial against a major national financial institution which resulted in a judgment in excess of \$16 million that was affirmed on appeal. *Ford v. Am. Express Fin. Advisors, Inc.*, SUPREME COURT OF UTAH, 98 P.3d 15 (UT 2004).

Represented a national equipment manufacturer in a three-month jury trial involving the Willburg Mine disaster resulting in a favorable judgment for the client.

Represented a large medical device manufacturer in a patent infringement lawsuit that resulted in a finding of no infringement and a subsequent affirmation on appeal. *Ballard Medical Products v. Allegiance Healthcare Corp.*, 268 F.3d 1352 (2001) (Fed. Cir.)

Represented a major drill bit manufacturer in a trade secret and unfair competition jury trial in federal court that resulted in a favorable verdict for the client.

Successfully represented a large shopping center developer in a major roof collapse case. *Ernest W. Hahn, Inc. v. Armco Steel Co.*, Supreme Court of Utah, 601 P.2d 152 (1979)

Represented a utility co-op in disputes concerning involvement of one of the members of the co-op and compliance with the contractual terms of their agreement with the organization.

Represented a manufacturer of large underground mining equipment in several products liability lawsuits that were successfully resolved.

Successfully represented a local retailer in a three-week jury trial alleging patent infringement.

Acted as an expert witness in a major national intellectual property lawsuit filed in Utah federal court on the issues of litigation procedures in complex intellectual property matters that was favorably resolved for the client. See *Brigham Young University v. Pfizer, Inc.*, 262 F.R.D. 637 (Utah 2009).

Education

BA Stanford University, 1967

JD University of Utah College of Law

University of Utah Law Review; Leary Scholar

Community Service

Board and past president, University of Utah Law School Alumni Association

Board and past president, Utah Stanford Club

Board and past president, Utah Arts Festival

Board and advisory board, The Leonardo

Advisory Board Utah Museum of Fine Arts

Advisory Board Red Butte Garden