

# Daily Journal

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## DANIEL J. BERGESON

BERGESON LLP

SAN JOSE

SECURITIES, IP, BUSINESS  
INVESTIGATIONS &  
WHITE-COLLAR DEFENSE,  
VENTURE CAPITAL &  
PRIVATE EQUITY

**D**aniel J. Bergeson is a veteran of Silicon Valley who opened his own litigation boutique, Bergeson LLP, in 1990 after first helping establish the litigation practice at Wilson Sonsini Goodrich & Rosati.

One way he keeps in close touch with his practice areas is through his work with a leading information source. In January 2026, Bergeson was appointed

editor-in-chief of the ABTL Report, the publication of the Association of Business Trial Lawyers.

In that role and through his extensive network of contacts, he's watched trends emerge and expand into companies and technology ecosystems fueled by venture capital. He represents companies, their founders and leaders, entrepreneurs, C-level executives, directors and special committees in high-stakes litigation and investigations. He has tried scores of cases in California, Delaware and New York and has conducted more than 40 investigations.

"The changing dynamic here now," he said, "is a trend toward scrutiny of artificial intelligence. There's a tonal shift from regarding it solely as a wonderful tool to seeing it as a fearsome threat. It's the dystopian view versus the optimists."

This past year Bergeson represented the former CEO of behavioral health care company Ontrak, Inc. in securing a dismissal of a securities class action, without leave to amend, brought in the Central District of California. *Farhar v. Ontrak Inc., et al.*, 2:21-cv-01987 (C.D. Cal., filed March 3, 2021).

In San Diego, he represented DivX LLC, a leader in video processing, encoding and compression technology, in its licensing dispute with Telechips concerning Tel-

echips' alleged failure to report sales of millions of chips incorporating DivX technology. The case recently settled on favorable terms. *DivX LLC v. Telechips Inc.*, 24CU009820C (S. Diego Super. Ct., filed Sept. 16, 2024).

Bergeson represented OpenAI Chairman Bret S. Taylor and Lawrence H. Summers in their roles as members of OpenAI's special committee of the board of directors in connection with the November 2023 termination of Sam Altman.

In early 2025, Bergeson helped obtain a settlement of a four-year-long trade secret misappropriation suit by Tesla, Inc. against its rival Rivian and nine former Tesla employees. Bergeson represented five of the employees. During the litigation, Bergeson obtained dismissal of Tesla's claim for violation of the California Comprehensive Computer Data Access and Fraud Act on summary judgment. *Tesla Inc. v. Rivian Automotive Inc.*, 20C-V368472 (S. Clara Co. Super. Ct., filed July 17, 2020).

Bergeson LLP has 13 attorneys in offices in San Jose, San Francisco and Beverly Hills. In 2025, the firm added three associates: Peter E. Soskin, Andrew Johnson, and Dennis Murphy, Jr. All three represent companies and individuals in complex business, securities and intellectual property litigation.