

YETTER COLEMAN

David J. Gutierrez

Associate

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David's practice focuses on complex commercial litigation with experience in energy, finance, bankruptcy, trade secrets, and intellectual property litigation. He likewise has extensive experience with appellate matters, being involved in cases before the United States Supreme Court, federal circuit courts, and Texas appellate courts. He received his J.D. from the University of Pennsylvania Law School and earned a joint degree at Penn by earning a Master of Science degree in Social Policy.

Credentials

- University of Pennsylvania Law School
  J.D.
  Associate Editor, *University of Pennsylvania Journal of Law and Public Affairs*
- University of Pennsylvania
  M.S., Social Policy
- University of California Los Angeles
  B.A., History, *summa cum laude*
  Phi Beta Kappa
  Highest Departmental Honors
- Law Clerk to the
  Hon. Jerome A. Holmes,
  U.S. Court of Appeals for the Tenth Circuit
- Law Clerk to the
  Hon. Drew B. Tipton,
  U.S. District Court for the Southern District of Texas
- Law Clerk to the
  Hon. Janis G. Jack, U.S. District Court for the Southern District of Texas
- Admitted to Practice:
  Texas
  District of Columbia
  New York
  U.S. Supreme Court

David maintains an active pro bono practice, assisting with appellate matters and amicus briefing for clients faced with religious liberty issues, federal employment matters, and immigration-related regulatory cases. He volunteers as a mentor at Hire Heroes USA and was recently elected as Treasurer of the Houston Young Lawyers' Association for 2026-27. David's community involvement further extends to his selection as President-Elect for the St. Thomas More Society of Galveston-Houston and his membership in organizations such as the Federalist Society and the Institute for Energy Law.

David clerked for Judge Jerome A. Holmes in the U.S. Court of Appeals for the Tenth Circuit and Judges Drew B. Tipton and Janis Graham Jack in the U.S. District Court for the Southern District of Texas.

While clerking, David was chosen to be a participant of the Georgetown Center for the Constitution's Originalism Summer Seminar held in May 2021, the Federalist Society's James Kent Summer Academy held in August 2021, and the Heritage Foundation's Clerkship Training Academy in March 2022. In 2023, David was selected to be a fellow at the Napa Legal Institute's Good Counselor Project Fellowship.

Prior to joining the firm, David practiced with Mayer Brown LLP in New York.

Experience

- **Global Tubing v. Tenaris Coiled Tubes.** Obtained a complete defense victory in connection with seeking a declaratory judgment that Global Tubing's quench-and-tempered coiled tubing products – key to its business – did not infringe three Tenaris patents. Over the six-year dispute, we defeated several motions to dismiss, obtained a discovery ruling that used the crime-fraud exception to order Tenaris to produce attorney-client

communications related to a key prior art document, and an opinion sanctioning Tenaris for violating the protective in prosecuting follow-on patents. The district court granted our client's motion for summary judgment and found all the patents unenforceable due to Tenaris's fraud on the Patent Office.

- **NPIC v. Gambol Pet Group, Ltd.** Defending China-based pet treat company and its management from claims of trade secret misappropriation by a Texas-based pet treat company.
- **SnapRays v. Lighting Defense Group.** Representing patentee defending declaratory judgment suit of noninfringement. Suit was filed in response to patentee's use of Amazon's APEX process, and we obtained dismissal for lack of personal jurisdiction. Federal Circuit reversed on appeal in a "bombshell opinion." We are pursuing rehearing en banc.
- **PfP Industries v. Rockwater et al.** Representing defendant in patent infringement suit over a method for hydrating fracking fluid polymers and associated equipment.

Professional Honors & Affiliations

- "Ones to Watch" in Commercial Litigation, *Best Lawyers in America,* 2026-2027
- "Texas Rising Star" in Business Litigation by Super Lawyers, 2025-2026
- The Good Counselor Fellowship, Napa Legal, 2023
- Member: The Federalist Society
- Member: Treasurer, Houston Young Lawyers Association
- Member: Institute for Energy Law
- Member: Christian Legal Society
- Member: President-Elect, St. Thomas More Society
- "Lawdragon 500 X – The Next Generation," Lawdragon, 2026