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## **Goliath Sues David—and Loses: PCZL and Yehuda Defeat Blue Nile**

***New York—N.Y.—November XX, 2009***—When the family-owned Yehuda Diamond Company ([yehuda.com](http://yehuda.com)) was sued for \$60 million by industry giant Blue Nile Inc., it turned to Pearl Cohen Zedek Latzer (PCZL) LLP ([pczlaw.com](http://pczlaw.com)), a small intellectual property law firm that, like its client, has offices in New York and Israel. The result on November 2—after a six-day jury trial in a Seattle federal courthouse—was a decisive win for the little guy.

“We were up against Perkins Coie, the largest law firm in Seattle,” said PCZL attorney Lee Goldberg who represented Yehuda along with co-counsel Sibley Reppert. “What’s more, as the case was tried in their own backyard, we were decidedly the underdog.”

The case came about when Blue Nile sued Yehuda, challenging the smaller company’s right to compare the prices of its clarity-enhanced diamonds with those of its untreated stones. Yehuda argued that the comparisons were in the best interest of consumers and after just 4 ½ hours of deliberation the jury agreed, dismissing Blue Nile’s federal and state claims that Yehuda had engaged in false or misleading advertising.

“We might be small in number but our attorneys joined PCZL after gaining extensive experience at big law firms,” said Goldberg. “As Blue Nile vs. Yehuda clearly shows, we can go up against national firms that have hundred of lawyers and win the big cases.” Both Goldberg and Reppert have experience with older and larger firms. Goldberg, a graduate of New York Law was a principal with Darby & Darby and Reppert, a graduate of Harvard Law, was formerly with Lahive & Cockfield.

PCZL will continue to litigate Yehuda’s own lawsuit against Blue Nile in U.S. District Court for the Southern District of New York contending that consumers

who purchased rubies, emeralds, sapphires or jewelry containing those stones from Blue Nile were not informed that the gemstones had been treated to enhance their appearance. “Our client contends that in defiance of industry-recommend practices, Blue Nile is deliberately misleading consumers about the quality of some of the gemstones it sells,” said Goldberg. “When giant retailers like Blue Nile mislead consumers, it harms the entire industry, including our client Yehuda.”

### **About PCZL**

Pearl Cohen Zedek Latzer LLP (PCZL: [www.pczlaw.com](http://www.pczlaw.com)), with offices in New York City, Boston, and Herzlia and Haifa, Israel, provides clients, ranging in size from start-ups to multinationals, with legal services including patent prosecution, management of intellectual property portfolios, licensing, due diligence, opinion matters, rights enforcement and litigation, financing and corporate governance matters, negotiation of commercial agreements and employment law.

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