


# David H. Levitt

Chicago, IL

 312-704-3515

 [dlevitt@hinshawlaw.com](mailto:dlevitt@hinshawlaw.com)



## About David

David Levitt is a trial lawyer with over 45 years of experience representing clients in intellectual property, insurance coverage, commercial litigation, product liability, and trucking. He also advises on data privacy laws, including the EU's General Data Protection Regulation (GDPR) and the California Consumer Privacy Act (CCPA), assisting with compliance, privacy policies, and data agreements. He manages intellectual property matters involving trademark, copyright, patent, and computer law, both in litigation and licensing contexts.

In his insurance practice, David handles both straightforward disputes and complex litigation involving environmental and health care provider claims.

In product liability cases, he effectively communicates scientific concepts and technical issues to juries and judges, drawing on his background with chemical and machinery-related claims.

David completed intensive mediation training from the faculty of Pepperdine University School of Law's top-ranked Straus Institute for Dispute Resolution. He is also a certified mediator in the Cook County Court-Annexed Major Case Civil Mediation Program.

David represents trucking companies in serious accident defense and brings unique insights into the industry's legal challenges as a co-founder of the Trucking Industry Defense Association (TIDA).

Since joining Hinshaw in the late 1970s, David has been an integral part of the firm and its leadership, including serving as the leader of Hinshaw's intellectual property practice.

## David's Professional Affiliations

- Illinois Association of Defense Trial Counsel (IDC), President, 2014 – 2015; Officer and Board Member, 2003 – 2014; *IDC Quarterly*, Editor-in-Chief, 2002 – 2003
- Defense Research Institute (DRI), Center for Law and Public Policy, Member; Third-Party Funding Working Group, Chair, 2018 – present; Intellectual Property Committee, Steering Committee; Commercial Litigation Committee; Intellectual Property Specialized Litigation Group (SLG), Chair, 2009 – 2011; Vice-Chair, 2007 – 2009
- American Bar Association, Intellectual Property Committee; Product Liability Committee; Insurance Coverage Committee; Section of Litigation; Tort Trial & Insurance Practice Section
- The Decalogue Society of Lawyers, Board of Managers, 2025 – 2026

## Areas of Focus

**Industries:** Cannabis; Healthcare; Insurance; Life, Health, Disability & ERISA;  
Transportation & Mobility

**Services:** Data Privacy, AI & Cybersecurity; Insurance Coverage Litigation & Counseling;  
Intellectual Property; Litigation & Trial

## Experience

- Led and performed IP due diligence in acquiring a music label, including review of songwriter agreements, and negotiated a new distribution deal with Sony.
- Negotiated software and hardware IT agreements for healthcare institution, including with the most widely used EHR software vendors (Epic, Cerner, Allscripts).
- Negotiated numerous agreements related to the creation of a fiber optic cable network, including IRUs (indefeasible rights of use).
- Represented music label in copyright infringement, trademark infringement, and breach of contract claim brought by hip hop artist arising out of label’s acquisition of all rights to the music “free and clear” in bankruptcy proceedings—obtained summary judgment from the Southern District of Florida and affirmance by the Eleventh Circuit.
- Represented the photographer of a famous photograph of polar bears on an ice floe in copyright infringement claims against the Canadian government and others. Successfully obtained fair value for the use of the photo and acknowledgment of ownership of IP rights.
- Defended a client in a claim by the Business Software Alliance (BSA) and Software & Information Industry Association (SIIA) for the use of unauthorized software. Developed responses to their standard positions and insisted upon more case-specific resolutions.
- Obtained summary judgment in Minnesota federal court for a website owner by a competitor who claimed that client’s website infringed on plaintiff’s website. The court found that the websites were not substantially similar, and there was no evidence of copying.

- Represented a bar association in a claim brought by a member asserting copyright infringement by continued use of seminar materials authored by the member. The case was resolved with zero payment.
- Obtained a voluntary dismissal on behalf of a printing company of claims asserting that the printer had infringed on plaintiff's copyright by printing materials submitted by a customer.
- Achieved a Digital Millennium Copyright Act (DMCA) takedown of images of client's product from a competitor's website, selling re-manufactured versions of client's products, but using client's images as samples of competitor's product.
- Represented the clothing line of a famous hip hop artist against trademark claims that the name of the clothing line infringed on the name of a video jukebox service being installed in shopping malls. Defeated motion for preliminary injunction and later resolved case for about 3% of the plaintiff's initial demand, including transfer of all of the plaintiff's trademark and domain name rights to our client.
- Represented a product seller against former employees and their new company in claims of trade dress and copyright infringement when the new company's products and packaging were confusingly similar to our client's. Obtained a settlement for 100% of infringer's profits on the products at issue, plus 100% of our client's attorney's fees.
- Represented a former employee and new employer in a trade secret case brought by a medical device seller. Prevailed on all issues following a bench trial and obtained an award of 100% of attorney's fees.
- Represented an out-of-state physician practice in a right of publicity claim by Chicago-area celebrity, settling the case before a lawsuit for less than the cost of the defense.
- Represented an insurer in a review of right of publicity claims arising out of a popular video game in which the faces of original models for the characters were still visible. The models claimed they had signed only limited releases—developed analysis of various defenses available in such claims.
- Represented an employer in a suit against a former employee under the Illinois Commercial Bribery statute and for breach of fiduciary duty.
- Obtained dismissal and appellate affirmance of a defamation and breach of contract claim arising from the parties' mutual participation in a trade association.
- Obtained a dismissal in favor of a newspaper due to the plaintiff's failure to comply with Florida's pre-suit notice statute.
- Obtained summary judgment on behalf of an insurer, finding no duty to defend under a Non-Trucking Liability (NTL) policy. The underlying case resulted in an \$8.4 million verdict.
- Secured summary judgment for an insurance producer in a \$2 million claim asserting failure to procure the correct amount of property insurance and failure to procure business interruption insurance.
- Served as lead coverage counsel for a property manager in the 69 West Washington fire case, successfully obtaining a complete defense and indemnity from an additional insurer.
- Served as lead coverage counsel for the building owner in the Hancock Building scaffolding case, successfully obtaining a complete defense and indemnity from additional insurers.
- Consulted and negotiated on behalf of a major Chicago commercial property manager on terms of management contracts with building owners (including some famous, well-recognized Chicago buildings).

Issues often included the scope of indemnity and insurance provisions in such contracts.

- Obtained summary judgment—which consequently defeated class action certification—in a former owner-operator’s lawsuits alleging violations of the federal Truth-in-Leasing Act and its related regulations. The Seventh Circuit affirmed the summary judgment.

## Credentials

### Education

University of Illinois Chicago School of Law, LLM, *with honors*, Intellectual Property , 2000

Loyola University Chicago School of Law, JD, 1979

University of Illinois at Urbana-Champaign, BA, *with distinction* , 1976

### Bar Admissions

Illinois

### Court Admissions

US District Court for the Northern District of Illinois

## Interests

### Did you know...

Outside the office, David advocates for the Jewish community, addressing topics such as Israel’s relationship with the international community and hate speech.

### Community/Civic Activities

- DePaul Law School’s Center for Jewish Law and Judaic Studies, Advisory Board, Co-Chair
- Spertus Institute, Leadership Certificate in Combating Antisemitism, Lay Leader
- B’nai Tikvah, President of Congregation, 2009 – 2011

## Thought Leadership

### Presentations

- Moderator, “Litigation Financing: What You Need to Know,” DRI, CLE Webinar, September 3, 2025
- “Responding to the University’s First Amendment Excuse,” Decalogue Society of Lawyers, Virtual CLE, January 14, 2025
- “Responding to the University’s First Amendment Excuse,” Decalogue Society of Lawyers, Virtual CLE, January 14, 2025

- Panelist, “Defining Antisemitism & Why It Matters: A Structural Review,” Jewish American Insurance & Legal Professionals Association (JINLAW), Virtual CLE Event, January 8, 2025
- Moderator, “Money Ball: What You See is Not What You Get in Third-Party Litigation Funding,” 20th Judicial Symposium, National Foundation for Judicial Excellence, Washington, D.C., July 27, 2024
- “CLE: Defining Hate Speech: When Does Speech Cross the Line?,” Decalogue Society of Lawyers, Chicago, Illinois, May 9, 2024
- “Hate Speech and the First Amendment,” Decalogue Society of Lawyers, Webinar, December 20, 2023
- “Third-Party Litigation Funding,” National Association of Mutual Insurance Companies (NAMIC) General Counsel Connect, Chicago, Illinois, August 29, 2023
- Co-Chair and Speaker, “Defining Antisemitism and Why It Matters: An In-Depth Exploration,” DePaul College of Law, Virtual Symposium, April 26, 2022
- “GDPR and Uniform Foreign Country Money Judgments Recognition Act,” State Bar of Wisconsin’s IP Protections Conference, Virtual Event, January 12, 2021
- Co-Presenter, “Electronic Medical Records – Emerging Policy and Litigation Issues,” Illinois Defense Counsel (IDC), Webinar, July 17, 2020
- Co-Presenter, “Website Law: What Every Organization Needs to Know About Ownership, Public Accessibility, Liability and More,” Webinar, June 5, 2018
- “Marijuana and IP,” DRI’s “The Future Is Now: Practical Litigation Strategies for the Modern Age” Seminar, May 12, 2017
- “Unauthorized Software? What to Do When the BSA Calls,” Bloomberg BNA, Webinar, October 17, 2016
- “Websites and Copyright Infringement - Lurking Dangers,” Bloomberg BNA, Webinar, August 4, 2016

## Publications

David is a prolific author with a diverse writing and speaking background. He regularly contributes blog articles to the *Times of Israel*, a prominent online newspaper that offers a platform for a wide range of opinions and insights on Jewish life, Israel, and global affairs. To read David’s column, visit the [Times of Israel](#). His publications also include:

- “Making Litigation Funding Agreements Discoverable Is Good Public Policy,” *Bloomberg Law*, June 17, 2021
- “GDPR and the Uniform Foreign Country Money Judgments Recognition Act,” DRI’s *In-House Defense Quarterly*, Summer 2020
- Co-Author, “[State’s fault scheme evolution shows collision of law, politics](#),” *Chicago Daily Law Bulletin*, May 6, 2020
- Co-Author, “[Justice requires a change to fault apportionment in Illinois](#),” *Chicago Daily Law Bulletin*, April 29, 2020
- “[How US companies without EU assets should approach business contracts](#),” *International Association of Privacy Professionals (IAPP)*, April 28, 2020

- Co-Author, “Third-Party Litigation Funding: Civil Justice and the Need for Transparency,” DRI Center for Law and Public Policy, 2018
- “Defense of Truth-in-Leasing Claims for Trucking Companies,” *In Transit*, The Newsletter of the DRI Trucking Committee, August 10, 2018
- “Lawsuit investing: Time for a few rules?” *Chicago Daily Law Bulletin*, July 18, 2018
- “SCOTUS OKs Disparaging Trademarks,” *In-House Defense Quarterly*, Fall 2017
- “Right of Publicity and Commercial Speech,” *For the Defense*, August 2017
- “State of Flux: Websites and Copyright Law,” *In-House Defense Quarterly*, Summer 2017
- “Unauthorized Software? What To Do When the BSA Calls,” *The Illinois Association of Defense Trial Counsel Quarterly*, Volume 27, Number 2, 2017
- “EMR and E-Discovery Is Coming: Are You Ready?,” *Healthcare Informatics*, April 28, 2017

## Events

- Hinshaw Sponsors Decalogue Society Third-Annual All-Bar Salute to Veterans in the Legal Profession, Nov 12, 2025
- David Levitt to Present a Decalogue Society of Lawyers CLE on Defining Hate Speech, May 9, 2024
- David Levitt to Present on “Third-Party Litigation Funding” at the National Association of Mutual Insurance Companies (NAMIC), Aug 29, 2023
- David Levitt to Speak at DePaul College of Law’s Defining Antisemitism and Why It Matters: An In-Depth Exploration, Apr 26, 2022
- David Levitt and Meg Nash to Participate in DRI’s Cannabis Law Seminar, May 15, 2019

## Healthcare Alerts

- EMR and E-Discovery Part Five, Oct 11, 2017
- EMR and E-Discovery Part Four: Reading Complexities, Sep 27, 2017
- EMR and E-Discovery Part Three: All Systems Go, Sep 5, 2017
- EMR and E-Discovery Part Two: On the Audit Trail, Aug 28, 2017
- EMR and E-Discovery Part One: Questions and More Questions, Aug 21, 2017

## Hinshaw Alert

- GDPR and the Uniform Foreign Country Money Judgments Recognition Act, Sep 2, 2020

## In The News

- Hinshaw Authors Consider Whether a SCOTUS Ruling on Copyright Infringement Creates an Open-Season Opportunity for Copyright Trolls, Jan 2, 2025

- David Levitt and DRI Third-Party Litigation Task Force Submit Letter in Support of a FRCP Rule Change Mandating Disclosure of Third-Party Litigation Funding Agreements, Sep 13, 2023
- David Levitt Discusses the Necessity of Mandatory Litigation Funding Disclosure in Law360 Expert Analysis, Aug 7, 2023
- David Levitt Writes in Bloomberg: Making Litigation Funding Agreements Discoverable is Good Public Policy, Jun 24, 2021
- David Levitt Authors Article on the GDPR's Reach, Aug 31, 2020

## Press Releases

- David Levitt Elected to the Board of Managers of The Decalogue Society of Lawyers, Aug 1, 2025
- 105 Hinshaw Lawyers Recognized in 2025 Editions of Best Lawyers in America and Ones to Watch, Aug 15, 2024
- 101 Hinshaw Lawyers Recognized in 2024 Editions of Best Lawyers in America and Ones to Watch, Aug 17, 2023
- David Levitt and Conrad Nowak Receive Decalogue Society of Lawyers Award of Excellence, Jul 13, 2023
- Eighty-Seven Hinshaw Lawyers Recognized in 2023 Editions of Best Lawyers in America and Ones to Watch, Aug 18, 2022

## Webinars

- David Levitt Moderates DRI's CLE Webinar on Litigation Funding, Sep 3, 2025
- David Levitt Addresses First Amendment Issues in 'Protecting Jews on Campus' Program, Jan 14, 2025
- David Levitt Presents a Jewish American Insurance & Legal Professionals Association CLE on a Structural Review of Antisemitism, Jan 8, 2025
- The Intersection of Hate Speech and the First Amendment, Wednesday, December 20, 2023
- Hinshaw Attorneys to Discuss IP Protections at State Bar of Wisconsin Conference, Jan 12, 2021

[View all of David's Insights](#)