Joel D. Bush

Partner

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Services

Complex Commercial Litigation

Trade Secrets

Cybersecurity, Privacy & Data Governance

Industries

Generative AI

Joel Bush concentrates his practice in the area of complex commercial litigation, with particular emphasis on information technology and software disputes, SaaS disputes, misappropriation of trade secrets, non-disclosure and confidentiality agreements, commercial contracts, business torts, restrictive covenant, and technology license disputes. Joel has litigated disputes arising out of computer hardware installations, software implementations, network design and system integration projects, and other technology implementations.

Joel has handled many disputes involving technology or software matters, including claims arising out of technology implementation projects for ERP, CRM, supply chain, data processing, inventory control, human resource automations, transportation automations, point of sale, logistics, demand response, and storage and systems management functionalities. He has represented both customers and vendors in these disputes, and with roughly equal experience on both sides.

Joel regularly represents software and technology companies in claims based on fraud, breach of contract, and negligence arising out of implementation problems, network design issues, software performance, and system compatibility problems. He has represented employers and employees in disputes arising out of restrictive covenant agreements. Joel routinely litigates trade secret disputes and he has particular experience in trade secret claims arising out of software development, apps, and other technology innovations. Joel also represents commercial parties in contract, indemnity, and related claims. He has appeared in federal and state courts and is also experienced in arbitration.

Joel joined the firm in 1993. Joel has been recognized as a Georgia "Super Lawyer" in General Litigation by *Super Lawyers* magazine. He was recognized by *The Best Lawyers in America*® in 2017 and 2018 for Technology Law; in 2019 and 2020 for Information Technology Law, Intellectual Property Litigation, and Technology Law; in 2021 for Commercial Litigation, Information Technology Law, Intellectual Property Litigation, and Technology Law; in 2022, 2023, 2024, 2025 and 2026 for Commercial Litigation, Information Technology Law, Intellectual Property Litigation, Banking and Finance Litigation, and Technology Law; and again in 2027 for Commercial Litigation, Information Technology Law, Intellectual Property Litigation, Banking and Finance Litigation, Technology Law, and Trade Secrets Law. Joel was listed in the 2023, 2024, 2025 and 2026 editions of *Chambers USA: America's Leading Lawyers for Business* in the area of General Commercial Litigation. He was recommended by *Legal 500 US* in 2015, 2016, and 2017 for Trade Secrets Litigation. Joel was named to *Georgia Trend*'s "Legal Elite" in 2013 for General Practice and is AV® rated by Martindale-Hubbell.*

Experience

Served as co-lead counsel on behalf of Cox Communications, Inc. in Delaware Chancery Court in a breach of contract action involving T-Mobile, which (after full trial) resulted in a successful outcome before the Delaware Supreme Court. *Cox Commc'ns, Inc. v. T-Mobile US, Inc.*, 273 A.3d 752, 755 (Del. 2022).

Served as lead counsel for DC consulting firm in trade secret dispute and restrictive covenant claims against six former employees. The matter resolved favorably after preliminary injunction hearing. *McAllister & Quinn, LLP v. Venbale, et al.*, Civil Action No. 1:22-CV-00379-APM (D.D.C. 2022).

Lead counsel for Consert Inc. in dispute arising out of software development agreement related to demand response technology in the energy sector. This case was styled *Itron, Inc., as successor in interest to SmartSynch, Inc. v. Consert Inc., Delaware Court of Chancery*, C.A. No. 7720-VCL, and the case settled favorably for Consert in February 2015 on the eve of trial.

Lead counsel for HMV Group, an entertainment retailer, in a dispute arising out of a software license agreement in the e-commerce area. After an arbitration proceeding the matter settled favorably.

Lead counsel for Manhattan Associates Inc., a supply chain management and logistics software company, in multiple matters, including software implementation disputes, license disputes, and breach of non-compete agreements.

Representation of medical insurance carrier in dispute with software vendor and system integrator arising out of system performance and software implementation failure.

Represented Compuware Corporation, a storage and systems management software company, in litigation related to software licensing and implementation project.

Represented Tory Burch LLC, an apparel and accessories retail company, in dispute involving claims against e-commerce technology platform provider.

Lead counsel for AirWatch, software vendor for mobile devices, in matter involving claims of misappropriation of trade secrets and unfair trade practices against AirWatch competitor. AirWatch alleged that competitor's employees, using false identities, masqueraded as potential "customer" in order to gain access to free trial of AirWatch software, subject to terms of End User License Agreement (EULA), in competitive espionage effort. The competitor moved to dismiss on the grounds that only AirWatch software source code could be protected as a trade secret, and that competitor's access to visible "output" of software, and software's "appearance and functionality," could not be protected as trade secret. The Court denied the motion to dismiss, finding that trade secret protection can apply if AirWatch "can show that it worked to preserve the secrecy of its programs functions, specifications, and pricing," such as through EULA's terms. *AirWatch LLC v. Mobile Iron Inc.*, Civil Action No. 1:12–cv–3571–JEC, 2013 WL 4757491 (N.D.G.A. Sept. 4, 2013).

Lead counsel for CareLogistics in dispute involving contract and business tort claims concerning implementation of ERP-like applications related to patient flow and care coordination in a hospital network in Ohio. This case was styled *CareLogistics, LLC v. Catholic Health Partners, et al.*, United States District Court for the Northern District of Georgia, Civil Action File No. 1:13-CV-1929-WBH before a referral to arbitration.

Represented Siemens Automation & Energy, a software company providing electrical, engineering and automation solutions in the energy, industrial manufacturing, and construction industries, related to a software license dispute.

Litigation counsel for Sterling Commerce (an affiliate of IBM) in dispute arising out of software license and implementation agreements.

Lead counsel for B&L Tech Company Inc. (B&L), formerly known as StatSignal Systems Inc. (SSI), a mesh wireless networking systems and applications company, in connection with the defense of an alleged breach of "right of first offer" obligation purportedly contained in a series of complex patent licensing agreements. Facing a substantial damage claim, B&L filed six separate motions for summary judgment. The court granted five of B&L's motions for summary judgment. Plaintiffs' right of first offer claim against B&L and plaintiffs' extraordinarily high damage claim against B&L were fully dismissed from the case. *IPCO, LLC, et al., v. Cellnet Technology, Inc., et al.*, 660 F. Supp. 2d 1351 (N.D. Ga. 2009).

Represented a Georgia-based non-profit organization in fraud claims against large ERP software vendor. Successful settlement after mediation.

Served as lead counsel for a Georgia-based software developer in a factually complex theft of trade secrets case involving the copying and misappropriation of source code files relating to the email attachment viewing technology used in handheld devices. Suit was filed on behalf of software developer alleging claims against competitors, and former executives of competitor for misappropriation of trade secrets, breach of contract, and other claims. The case settled for a confidential amount shortly before a three-week trial was scheduled to begin.

Education

University of Virginia School of Law J.D. (1993)

Emory University B.A. (1986) English and Political Science, *summa cum laude*

Admissions

Georgia (1994)

Insights

Events

Kilpatrick's Intellectual Property Seminar Series
September 16, 2026

Publication

AI Prompt-Injection Hacking Creates Emerging Legal Risks

September 3, 2026

Alert

Expert Engagement Agreements in the Age of Generative AI: Best Practices for Governing Expert Use of AI Tools

August 31, 2026

News Releases

Kilpatrick Attorneys Once Again Earn Outstanding Recognitions in 2027 Edition of The Best Lawyers in America®

August 20, 2026

Events

2026 Trade Secret Update: Legal Developments and Recent Trends

August 3, 2026