

David (Dave) W. Burgett

Senior Counsel
Washington, D.C.

Biography

For more than 30 years, clients have relied on Dave Burgett's judgment to find practical, effective solutions to their toughest challenges involving government contracts and grants. With a degree in public policy in addition to his legal training, Dave employs an uncommon grasp of statistical and quantitative analysis, economics, bureaucratic politics, and legal analysis to assist a variety of clients, from global industry leaders, to research institutions, to technology start-ups.

Dave's practice concentrates on the intersection of intellectual property and federal grants and contracts. He advises technology innovators who want to optimize their protection of IP while making use of appropriate funding opportunities. He can also structure and negotiate IP terms regarding private partners and customers as well as government agencies.

Dave has another principal focus international issues. He's well versed in restrictions on foreign sourcing such as the Trade Agreements Act, Buy American Act, and Berry Amendment; control of classified information; and controls on technical data exports. Before becoming a partner, Dave took a two-year leave of absence to practice in Germany, where he gained valuable experience in international transactions and



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Languages

French
German

Practices

Government Contracts
Intellectual Property
Investigations, White Collar, and
Fraud
IT Law
Public Procurement

Industries

Aerospace and Defense

European Union law.

He understands all major areas of public procurement and sponsored research, including bid protests, investigation and resolution of alleged of false claims, cost charging, compliance with employment-related policies, contract claims, and procurement integrity, among others. Dave is a former Chair of the Federal Bar Association's Government Contracts Section and its international procurement committee, and a recipient of the FBA's Distinguished Service Award. He received his JD from Harvard Law School and his MPP from the Harvard Kennedy School. He served as law clerk to Chief Judge Theodore R. Newman, Jr., of the Washington, D.C. Court of Appeals.

Representative experience

Restructuring Vanderbilt University's intellectual property and technology transfer functions as its medical center is separated.

Assisting IBM in a pre-award audit of its US\$519m GSA Federal Supply Schedule contract and negotiation of its renewal award.

Advising Bat Conservation International on a DOE grant and teaming arrangement for testing of system to reduce bat mortality at wind turbines.

Advising USC's Institute for Creative Technologies on compliance issues, including cost charging, information security, and conflict of interest.

On behalf of IBM, successfully protesting an award by Customs and Border Protection of a contract for enterprise data center support services.

Awards and rankings

- Federal Bar Association Distinguished Service Award, 2002

Technology & Telecoms

Areas of focus

Contract Requests for Equitable Adjustment, Claims, Disputes (REAs), Termination Settlements, and Appeals

Domestic Preference and Buy American Laws

Federal Grants, Cooperative Agreements, and Sponsored Research

Government Rights in Intellectual Property

Education and admissions

Education

J.D., Harvard Law School, 1981

M.P.P., Harvard University, John F. Kennedy School of Government, 1981

B.A., University of Michigan, 1977

Memberships

Member, American Bar Association

Member, American Civil Liberties Union

Member, International Bar Association

Member, Judicial Conference of the District of Columbia

Latest thinking and events

- News
 - FDA issues list of essential medicines and countermeasures required under Buy American Executive Order
- News
 - Buy American EO applies domestic preferences for "essential medicines" and "medical countermeasures"
- News
 - Emergency government contracting: FEMA issues regulation implementing Defense Production Act
- News
 - Trump invokes Defense Production Act to block exports of Personal Protective Equipment
- Insights
 - Federal Circuit Acetris decision changes procurement country of origin landscape
- News
 - Oral argument in Acetris TAA case

Member, Washington Council of Lawyers

Past Chair, Government Contracts Section, Federal Bar Association

Bar admissions and qualifications

District of Columbia

Court admissions

U.S. Court of Appeals, District of Columbia Circuit

U.S. Court of Federal Claims

U.S. District Court, District of Columbia

U.S. Supreme Court
