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TOP 40 UNDER 40



BRETT M. SANDFORD

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After a full-day evidentiary hearing for Perplexity AI in the Northern District of California, Brett Sandford went straight to the airport, boarded a red-eye to Washington, D.C., and prepared overnight for oral argument in a separate case set for the next morning. "It was an intense 36 hours, but it ended with excellent results, as both clients defeated the injunctions sought against them," Sandford said.

That stretch captures the pace of Sandford's practice at Latham & Watkins LLP, where he is a partner in the Litigation & Trial Department focused on intellectual property disputes for technology com-

panies. His docket spans patent litigation, trade secret disputes, IP valuations, damages and remedies work and AI litigation touching copyright and trademark law.

Sandford served as co-lead trial counsel for Perplexity AI in a trademark dispute over Perplexity's browser named Comet. Comet ML, an LLM evaluation software company, sought a preliminary injunction alleging consumer confusion on a schedule that put the browser's launch at risk. *Comet ML Inc. v. Perplexity AI Inc.*, 4:25-cv-04088 (N.D. Cal., filed May 12, 2025).

Sandford cross-examined Comet ML's CEO at the evidentiary hearing, eliciting damaging admissions the district court cited extensively in denying the injunction. The team also filed counterclaims to cancel Comet ML's trademark registrations for fraud. "The favorable August 2025 resolution cleared the way for the successful launch of Perplexity's Comet browser," Sandford said, and he now serves as co-lead counsel for Perplexity in additional trademark matters and represents the company against publishers in copyright and trademark suits in the Southern District of New York.

Sandford also represented CertainTeed, a Saint-Gobain subsidiary, against GAF Energy in a patent dispute in the Western District of Texas over solar roofing panels. GAF Energy counterclaimed and moved to enjoin sales of CertainTeed's "Solstice"

solar shingles. Judge Alan D. Albright denied the motion from the bench in July 2025 and, at Sandford's request, expedited the trial date. GAF Energy settled shortly after. *CertainTeed LLC v. GAF Energy LLC*, 1:25-cv-00191 (W.D. Tex., filed Feb. 12, 2025).

Representing GlobalFoundries against Oasis Tooling in the District of Delaware, Sandford led a marking defense under 35 U.S.C. § 287(a) that reduced the patent owner's damages claim by more than \$300 million. *Oasis Tooling, Inc. v. GlobalFoundries U.S., Inc.*, 1:22-cv-00312 (D. Del., filed March 9, 2022).

"As part of a tremendous team that attacked every aspect of the case early and often, I led development, briefing, and oral argument of a marking defense under 35 U.S.C. § 287(a) that cut the patent owner's damages claim by more than \$300 million," Sandford said. He also led the defense against a bid for worldwide sales damages. The team secured summary judgment of ineligibility under Section 101 thirty days before trial and the Federal Circuit affirmed in February 2026. Sandford separately counseled GlobalFoundries in a related trade secret suit against IBM in the Southern District of New York, where discovery rulings he argued drove a settlement resolving the trade secret claims and a counterclaim tied to a \$1.5 billion manufacturing deal.