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TRAILBLAZERS

MERGERS & ACQUISITIONS and ANTITRUST

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PIONEER SPIRIT Dan Wall found antitrust to be the most interesting class in law school. He worked for Intel and Microsoft before moving to Latham, where he was the firm's third antitrust lawyer.

TRAILS BLAZED Wall often focuses on the role IP plays in antitrust work. "For example, I represented Kodak on a case that set precedent on when a firm is required to share IP rights." He credits his location in Silicon Valley as a major key to his success. "I've been here as the major technology companies were not only rising, but getting big enough to create antitrust issues." His clients include Oracle, Apple, Electronic Arts and Toshiba, and he often advises on aftermarket issues. One case involved standard issue patents. "Apple was in a big fight with Samsung, which had obtained an exclusion order from the International Trade Commission. One point of contention was a patent that everyone was required to use, because it was folded into an industry standard. We argued it was anticompetitive for a company to get a patent included in a standard and then use it to prevent companies from using that patent. It was not typical at the time, but is now widely considered to be the rule."

FUTURE EXPLORATIONS The most interesting issues will deal with data and the economics of internet search engines. "To an internet business, data is everything. The antitrust treatment of data assets will be a giant issue coming down in the future."

