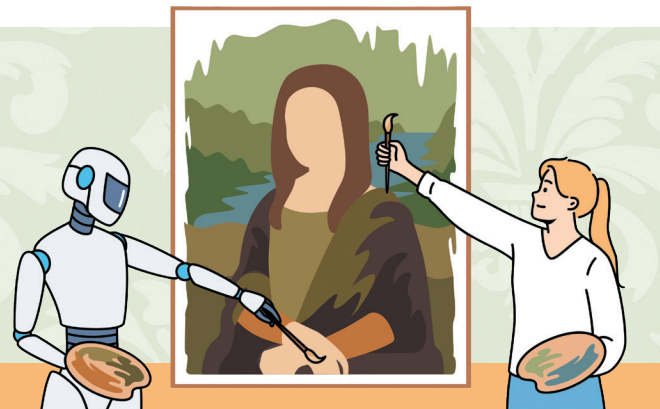


# Daily Journal

MAY 20, 2026

## TOP INTELLECTUAL PROPERTY LAWYERS 2026



HONORING TOP ATTORNEYS WORKING IN PATENT, TRADEMARK AND COPYRIGHT LAW



**JOE WETZEL**

LATHAM & WATKINS LLP

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**J**oe Wetzel, co-chair of Latham & Watkins LLP's Bay Area litigation and trial department, came to IP litigation through music. As a summer associate, he worked on copyright litigation tied to the Napster service, and when he relocated to the Bay Area as a first-year associate, he carried that case with him. The experience set the course for a practice at the intersection of technology and intellectual property spanning more than two decades.

The work Wetzel identifies as a career touchstone is the Pandora rate-setting

litigation against ASCAP, resolved roughly 10 years ago. At issue was a coordinated effort by major music publishers to withdraw what they called "new media" rights from ASCAP and BMI — performing rights organizations whose license fees are subject to federal antitrust consent decrees. By pulling those rights from the regulated entities, publishers aimed to charge higher prices when licensing digital services like Pandora and Spotify.

"I developed and helped execute a successful strategy to challenge the music publishers' new media rights withdrawals as inconsistent with ASCAP's and BMI's antitrust consent decrees," Wetzel said, "and then helped protect that result for years on appeal and through various attacks on the decrees as outdated or no longer necessary." The decrees, and the protections they provide music licensees, remain intact.

In recent years, Wetzel's practice has shifted toward defending generative AI developers against copyright claims brought by rights holders. The cases are numerous, consequential and largely unresolved. "These cases raise legal questions of first impression that courts have not yet had the opportunity to weigh in on, which means you're building the framework

as you go." Because AI models require training on large volumes of data, the number of asserted copyrights — and the potential exposure — is substantial.

Several matters have involved music rights holders, connecting his current work to his earliest cases. Wetzel has spent his career defending technology companies against copyright claims brought by record labels and publishers, and the AI copyright wave has drawn the same constituencies into court under new theories.

He points to a challenge that runs through all of these matters: "One universal challenge is making complex and sometimes counterintuitive arguments accessible to audiences who are encountering these industries and issues for the first time."

Wetzel's read on where the pressure falls is direct: "I think many of the most pressing challenges in my field aren't necessarily borne by IP rights holders, but rather by the innovators whose technological breakthroughs have come under fire in the dozens and dozens of pending copyright lawsuits against AI developers."