

THE **RECORD**ER



TECH INDUSTRY LITIGATION DEPARTMENT OF THE YEAR FINALIST Latham & Watkins

Latham & Watkins is among the finalists for The Recorder's 2025 Tech Industry Litigation Department of the Year award. Read our Q&A with the firm.

What do you see as your team's most significant achievements over the past year?

Latham's California litigators continue to build upon our reputation as innovative and zealous advocates who successfully represent companies at the leading edge of AI, crypto, data privacy, digital payments and other technologies both established and emerging. Over the past year, we have secured victories for our clients that have shaped law and set precedent, and most importantly, achieved our clients' business goals.

We continue to deliver victories for software maker Cendyn Group, defeating "hub and spoke" conspiracy allegations tied to algorithmic pricing



Latham & Watkins offices in San Diego.

recommendations. After securing in May 2024 the first-ever complete defense dismissal in an algorithmic pricing antitrust dispute (Nevada federal court), our team in October halted similar claims filed in New Jersey district court against Cendyn and several Atlantic City hotels.

We're also proud of our successes for OpenAI in the suite of cases challenging ChatGPT under copyright law, including litigation filed by *The New York Times*. Recently, Latham argued and won dismissal of the bulk of two of the putative class actions brought by authors including comedian Sarah Silverman.

Beyond AI litigation, Latham notched several notable victories for Meta and X Corp., securing



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multiple dismissals in class actions that span securities, general commercial, and data privacy-related claims, illustrating our unmatched ability to effectively manage sophisticated litigation across practices. And we're cementing our history-making victories on appeal, winning affirmance in the Ninth Circuit of a dismissal for Otonomo from a novel data privacy dispute that sought to expand massively the scope of liability under the California Invasion of Privacy Act, particularly for automotive companies that track location data.

What does your firm look for when hiring a litigator?

Consistency, creativity, collaboration and a deep commitment to partnering with our clients are some of the driving forces that enable our best-in-class teams to deliver the right result for the companies we represent. Given our practice, we routinely defend our clients and their frontier technologies in matters where traditional claims are asserted with novel interpretations and approaches. It takes deep understanding, grit and curiosity to tackle these sophisticated issues head on, especially without a preexisting playbook. That's what we're looking for: litigators who think outside the box, who know that a team of brains is better than one and who push boundaries, all while keeping the clients' business goals as our lodestar.

What do you see as your firm's competitive advantage compared to other firms when a client

considers you for representation on a piece of litigation?

We are immensely proud that only Latham—with our constellation of world-class stars across every litigation practice, specialty and industry and coupled with our leading corporate platform—has the ability to successfully partner with our clients from the boardroom to the courtroom. We focus on attracting and growing top talent who understand not only how to keep up with technological innovations and the legal implications of those evolutions but also how to see around corners for our clients and anticipate and plan for those next legal challenges.

How is the business of litigation changing, and how are you adapting to those changes?

Driven by advancements in technology, increased regulatory scrutiny and deepening complexity of cross-border legal issues, the practice of law and especially litigation is always evolving. At Latham, we adapt to these changes by embracing leading-edge technologies that help enhance our efficiency and streamline our processes while fostering a culture of continuous learning and curiosity to stay ahead of the changing landscape. We are committed to investing in our young litigators and to giving them valuable experiences and opportunities to grow into the next generation of legal leaders and elite trial lawyers.