

‘Busier than ever’: Latham & Watkins positions itself as a go-to ITC firm

Sanjana Mishra September 11 2026



Three successive wins have got the firm eyeing additional opportunities as ITC work booms

The US International Trade Commission is a popular forum for patent disputes because of its swift trial timelines and powerful remedies.

Managing IP previously reported that clients have been increasingly drawn to filing claims at the ITC after the Federal Circuit’s 2025 Lashify ruling, which opened the door for a greater pool of complainants to file at the forum.

ITC litigators say that recent changes at the Patent Trial and Appeal Board (PTAB), making the process for challenging patents increasingly unpredictable, have also tempted clients to pursue ITC disputes.

This popularity has driven significant work for firms, particularly Latham & Watkins. The firm has experienced a recent string of wins, bolstering its trial reputation at the forum, its attorneys say.

“There are several firms that tout their ITC experience, but we recently marked our third trial win over the span of two years, and there are very few firms that can say they have done the same,” says Kevin Wheeler, global vice chair of Latham & Watkins’s litigation and trial department.

The recent victories show that Latham & Watkins hopes to solidify its market position as a premier ITC litigation firm.

“It’s not that we potentially see ITC work becoming a significant revenue driver, but that it is a significant revenue driver at present,” says Wheeler.

He adds: “More of the largest IP disputes are being settled at the ITC and if that’s where the biggest battles are, then we want to be the go-to firm for ITC disputes.”

ITC hat-trick

Latham & Watkins’s most recent ITC win was secured late last month. The firm represented non-practising entity Estelgia in a patent infringement case against technology companies Asus and Plume Design. The case involved patents covering Wi-Fi routing technologies.

An administrative law judge (ALJ) at the ITC issued an initial determination on August 6 stating that Asus and Plume infringed Estelgia’s patents.

Before this victory, the firm had several other ITC wins.

In September 2024, it helped Wi-Fi and networking company Netgear secure a \$135 million settlement in a patent dispute against competing Wi-Fi company TP-Link.

Additionally, the firm successfully represented medical device company Serendia in a patent infringement trial against four competing companies. In December 2024, an administrative law judge found that Serendia’s asserted patents were valid and violated by its rivals.

The firm says the Estelgia win was significant because it marked its third consecutive ITC trial success and demonstrated how previous victories can create new work.

“Estelgia was aware of our representation of Netgear, whose stock jumped over 30% [after the settlement]. Since Netgear sold some patents to Estelgia, our team was a very natural fit for this litigation. That continuity mattered a lot for Estelgia,” notes Wheeler.

Latham & Watkins’s relationship with Netgear and recent technology trial victories gave Estelgia assurance that the firm could handle its case. Having trusted ITC counsel was particularly essential in this case, according to the firm’s attorneys, because of the complex technologies involved and new challenges that arose during trial.

“At a high level, we approached this case like we did several of our other ITC cases,” says Charles Sanders, global vice chair of Latham & Watkins’s IP litigation practice.

He adds: “We took a technically complex case and simplified it by keeping the focus on the core issues of what the patents cover, how the products work, and why the defences simply don’t hold up. This case,

though, presented some new defences.”

Sanders says the opposing counsel introduced an argument at trial that claimed a separate third-party entity had invented the disputed technology first, effectively invalidating Estelgia’s patents.

The Latham team refuted the claims in the deposition testimony and cross-examination during trial.

“We were very pleased with the ALJ’s finding that the evidence showed that this prior invention story was not credible,” Sanders notes.

‘Busier than ever’

IP STARS ranks Latham & Watkins in Tier 2 for ITC litigation.

However, in the firm’s most recent ITC trial victories, the firm prevailed against several Tier 1 ITC litigation firms, including Alston & Bird and Kirkland & Ellis.

“Our ITC practice is busier than it’s ever been. We have these three trial wins, along with several ongoing cases in industries including medical devices, LED televisions, semiconductors, solar cells, and pharmaceuticals,” says Wheeler.

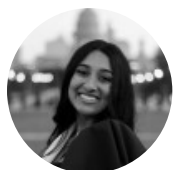
To accommodate the influx of work, the firm hired ITC trial lawyer David Shaw in March this year. Shaw joined the firm after serving as partner at Desmarais.

While the hire contributed to strengthening the ITC bench, Wheeler and Sanders note that the firm has reached a satisfying level of expansion.

The firm remains in “strategic hiring mode” but also acknowledges that its existing bench is more than adequate to handle incoming work.

Latham & Watkins’s recent wins are just the beginning of its crusade to serve as the go-to firm for ITC disputes, according to the attorneys. The firm hopes to continue its successful streak at the ITC as it focuses on ongoing cases at the forum.

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