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LEGAL AWARDS
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TECH INDUSTRY LITIGATION DEPARTMENT OF THE YEAR: Latham & Watkins



Photo: Diego M. Radzinski/ALM

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

Latham achieved extraordinary results over the past year, protecting clients from billions in potential exposure while establishing important precedent affecting the most cutting-edge technologies in the world.

We remain at the forefront of the most high-profile litigation impacting the development and deployment of artificial intelligence, representing clients including OpenAI in many of the first-ever cases challenging generative AI under copyright law, the highest profile of which was filed by The New York Times. Recent victories include dismissal on behalf of Anthropic of the first copyright suit brought by music industry participants against an AI platform, and dismissal of class actions claims brought against OpenAI by a group of plaintiff authors including the comedian Sarah Silverman.

We notched precedent-setting antitrust wins on behalf of software maker Cendyn Group, defeating so-called "hub and spoke" conspiracy allegations tied to AI-based algorithmic pricing recommendations, with far-reaching impact on the business and AI community. On behalf of Apple, we defeated several high-profile would-be class actions across the litigation spectrum, including antitrust, securities, consumer, and data privacy, winning dismissal of allegations that Apple entered into horizontal agreements to prevent peer-to-peer payment apps from implementing decentralized cryptocurrency technology on iOS; affirming on appeal the dismissal of claims arising from theoretical security vulnerabilities that rocked the entire chip-making industry; and winning a first-round dismissal with prejudice of fiduciary challenges to



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Apple's executive-compensation disclosures in proxy statements ahead of its annual stockholders meeting.

We've won for Netflix in cases brought by municipalities across 13 states, defeating allegations that Netflix must pay a 5% franchise fee to every city in each state on revenues generated from its online streaming service. Tackling novel questions of state statutory law as well as federal First Amendment, Internet Tax Freedom Act, telecommunications, preemption, and Commerce Clause questions, our teams have notched 20 victories in state and federal trial and appellate courts since September 2021. And with implications for defamation suits across the entertainment spectrum, we scored a complete victory for the streamer against famed free diver Pipin Ferreras, who alleged the film *No Limit* was a fictionalization of his life.

Defending Meta, we secured dismissal with prejudice in one of the largest stock drop securities class actions ever filed, over what plaintiffs claimed was "the largest single-day drop in value of a U.S. Company in history," involving a stock drop of nearly a quarter trillion dollars. On behalf of Twitter/X, we racked up a number of victories including in federal and state class actions alleging misuse of users' contact information, a class action brought under the Illinois Biometric Information Privacy Act, a securities class action alleging misrepresentations and omissions regarding cybersecurity, data-privacy, and user-metric issues, and a securities class action alleging misstatements about bugs in the Mobile Application Promotion product.

What does your firm look for when hiring a litigator?

We prioritize excellence, entrepreneurship, collegiality, and collaboration. We value creativity and innovation, and build teams that are dedicated to our clients and to each other. We are immensely proud of the unmatched culture we've built at Latham, which attracts and rewards a team-centered approach. We look for curiosity, initiative, and grit.

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 unmatched in our ability to field a customized team across jurisdictions and disciplines. A litigation powerhouse of more than 1,100 litigators around the world, Latham leverages the full spectrum of the firm's capabilities to craft legal strategies that resolve disputes while at the same time partnering with our clients to advance their fundamental business goals. We win the cases you read about, and resolve others so they're not read about. Integrated together with our elite corporate teams, we deliver for our clients from the courtroom to the boardroom. With the rise of AI, lawyers who understand the underlying technology will outperform the field in both results and efficiencies. Our AI Task Force comprised of leaders across litigation, regulatory, and transactional practices collaborates to mitigate risks across our clients' strategies, from cutting-edge litigation to the raft of new AI regulations being developed across the globe. Innovation is our competitive advantage.