

## D.C. LITIGATION DEPARTMENTS OF THE YEAR

A SPECIAL REPORT

### LATHAM & WATKINS

#### INTELLECTUAL PROPERTY WINNER

**LATHAM & WATKINS' IP DEPARTMENT** gets the nod for a series of major appellate victories in 2017, demonstrating the strength of a well-rounded practice that has been years in the making.

In March, the U.S. Court of Appeals for the Federal Circuit returned favorable decisions for Ford Motor Co. on all four appeals Latham partner Matthew Moore had argued on a single day in December 2016. The rulings affirmed the result of inter partes review proceedings before the Patent Trial and Appeal Board, which had invalidated claims on two Paice LLC patents for hybrid vehicle technology.

Moore and fellow Latham partner Gabriel Bell added to those victories by successfully arguing a combined 16 more appeals for Ford in 2017, bringing its total appellate-win count for Ford to 20.

In June, Latham prevailed in an Empire IP subsidiary's challenge to a \$2 million "exceptional case" attorney fee award for Jaguar Land Rover North America.

But Latham's successes in front of the PTAB and the Federal Circuit also extended to its work before the International Trade Commission, where the firm represented high-profile clients in disputes over a wide range of technologies.

Moore, the former co-chair of Latham's IP litigation practice co-chaired by Michael Morin, said the 2017 results were "proof of concept" for the firm's plan, launched years ago, to build its IP group



MATTHEW MOORE

into one of the premier practices in the country. Since 2010, Moore said, Latham has been able to attract a core group of 10 "first-chair" attorneys, with the bulk of its resources spread between Washington, D.C., Chicago and Silicon Valley.

"It's the idea of developing such a broad bench of first chairs really working," he said of the past year.

Also in June, Latham and partners Doug Lumish and Bert Reiser nailed down a big turn-around defense win for Arista Networks Inc., after prevailing in a copyright trial in late 2016. An ITC administrative law judge found no infringement of any Cisco patent claims, helping Arista to avoid considerable penalties and potential loss of billions of dollars in sales.

Since taking over the case, Cisco has dropped or Arista has been found not to infringe nine of 14 patents. Of the five that the ITC had found infringing, Arista has successfully designed around three.

"We were able to come in with a different strategy and were able to change the result," Moore said.

Latham continued to grow last year, adding ITC specialists Jamie Underwood and Kevin Wheeler in lateral hires and placing the firm in a strong position for 2018, Moore said. And even more recently, the firm added seasoned litigator Tara D. Elliott.

"I think we have the room to grow," he said, "but we don't need to, so we can be very selective."

—TOM MCPARLAND

#### firm facts

Name: Latham & Watkins  
Founded: Los Angeles  
Total number of attorneys: 2,459  
Litigators as percentage of firm: 30 percent  
Litigators as percentage in D.C.: 50 percent  
Litigation partners firmwide: 206  
Litigation associates firmwide: 516  
D.C. IP litigation partners: 8  
D.C. IP litigation associates: 14

#### keys to success

- Assembling a tremendous group of litigators strategically, to ensure we have the best team to handle client issues in any forum.
- Understanding our clients' business objectives and providing the best results in an efficient manner and on budget.
- Bringing all of Latham's venerable resources to bear, from IP as well as from regulatory, anti-trust, appellate, and transactions practices. —Michael Morin