

'Fortuitous' clerkship helped move new Latham partner into patent litigation

By Nate Raymond with Caitlin Tremblay

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[Rachel Weiner Cohen](#) didn't plan as a law student to become a patent litigator. But a well-timed assignment of a patent docket during a judicial clerkship helped shift the new **Latham & Watkins** partner's trajectory and build a practice dedicated to high-end intellectual property disputes.

Cohen, 37, said she "lost a coin toss" when she inherited a docket full of patent cases while clerking for U.S. District Judge Freda Wolfson in New Jersey following her graduation from American University Washington College of Law in 2008.

"It was really fortuitous," she said. As the financial crisis took hold that year, the law firm where Cohen worked as a summer associate, Heller Ehrman, [crashed](#), forcing her to pivot.



Rachel Weiner Cohen
Latham & Watkins

She landed a clerkship with U.S. Circuit Judge Sharon Prost on the patent-focused Federal Circuit and then joined WilmerHale, where she worked until moving to Latham's D.C. office in 2018 as counsel, following her mentor, Tara Elliott.

Cohen has kept a broad practice, with cases for both pharmaceutical and tech clients. She helped lead Adobe's [successful defense](#) in a case over encryption technology patents and had a baby just six months after the December 2018 trial. She's now in the midst of representing Johnson & Johnson in a [lawsuit accusing Alcon of infringing](#) laser eye surgery technology patents and stealing related computer code.

Cohen's litigating that case now as a partner after Latham promoted her this year. She said she often reflects on what she could be doing if she'd gone a different direction. "And upon on that reflection, I realize I love what I do," she said.

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