

WOMEN LEADERS IN TECH LAW Next Generation

SAN FRANCISCO – After the events that have rocked Silicon Valley this year, are you more or less hopeful about the prospects for women in the tech industry?

That's the question that we put to all 65 of The Recorder's Women Leaders in Tech Law this year.

From a viral blog post about Uber's culture, a Google engineer's internal memo suggesting women are biologically less apt to succeed in technical fields, and allegations of harassment at some of the Valley's most prominent VC firms, this year's biggest tech stories are a reminder of the challenges that women still face in the field.

But the response from our honorees was a resounding chorus of optimism. They pointed out that you can't address a problem until you define it and that sunshine is often the best disinfectant.

As lawyers, advocates and advisors, they also have a special role to play in helping the tech industry take on issues of discrimination, bias and harassment. They have tackled some of the industry's biggest courtroom challenges, negotiated market-moving deals, and helped protect the industry's most valuable intellectual property assets. Given all these accomplishments, the optimism is understandable.

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JENNIFER RHO

Gibson, Dunn & Crutcher

Jennifer Rho, an associate at Gibson Dunn, helped beat back a motion for preliminary injunction brought against mobile device-makers Foxconn, Pegatron, Wistron and Compal, which sought to force them to pay billions of dollars in royalties under patent license agreements.

Who is the most important mentor you've had thus far in your career and why?

It's hard to pick just one person, as I've been fortunate in working with multiple people in the firm's IP group who have supported and mentored me through various stages of my career. Wayne Barsky and Jason Lo, in particular, have promoted my growth as an attorney by encouraging me and actively giving me opportunities to take on first chair roles, and other valuable experiences.

I've worked with Wayne since we went to trial together during my first year at the firm, and he staffed me in an impor-

tant role preparing him for his opening statement and cross-examinations. Ever since, he has provided continuous guidance on my path to becoming a strategic leader, by giving me significant oral arguments and depositions, by encouraging me to take internal and external leadership roles on his matters, and by advising me in my efforts to expand my skill set as a lawyer and advocate.

Jason Lo also has been one of my most significant mentors. Like Wayne, he has actively encouraged me to take ownership of strategic issues and cases and given me the opportunity to do so on his matters. Equally valuable, Jason has provided guidance and support whenever I have questions (no matter how trivial), whether about a specific legal issue or about my career development. Wayne and Jason have taught me to be a chess player in litigation—to set up the pieces in advance for an effective and efficient resolution of disputes.



What's the best part of working in the tech sector?

Every day is different. Technology is changing at immense speeds, and what is novel today might be outdated

tomorrow. It's incredibly exciting to see—and be part of the development and protection of—what comes next, whether that's mobile devices that let loved ones across the world communicate face to face as well as organize and improve daily life, medical devices that address diseases and other challenges or apps that change the fundamental nature of transportation.

What's the biggest challenge?

Trying to foresee (and plan for) the potential benefits and pitfalls of technology that is changing at immense speeds and changing the way that people interact. I am fortunate to work with some of the most significant and innovative companies in the world, who have created entirely new areas of technology and ways of interacting. It's amazing, but demanding.

What's one way technology has made your life easier?

Technology gives me the freedom and flexibility to stay connected to my team, my clients and my family wherever I am, whether preparing for court, traveling internationally for a case or walking through a park for some vitamin D.

One way it's made your life more difficult?

The sheer volume of e-discovery. It seems to have led to a more frequent demand for the production of an enormous volume of emails and

documents, even if very few of those emails and documents are likely to be relevant and the burden of review will be tremendous.

Name an important opportunity you've had in your career and what you did with it.

Early in my career, a partner and I had to take eight depositions that were critical to proving one of the issues in our case. I expected that I would be assisting the partner, but the partner said it would be the opposite: I'd be first chair, asking the questions, and he'd assist. This opportunity was a huge springboard for me—it demonstrated to myself and everyone else that I could succeed in a strategic first chair role. I was then able to leverage that experience to secure more significant speaking and leadership roles in my subsequent cases.

What drew you to practicing law in the technology industry?

I wanted to learn about and help protect the development and advancement of innovation in diverse areas of technology. My aunt pushed boundaries as a principal computer scientist on the forefront of the development of cybersecurity defenses, DARPA initiatives relating to encryption, and early internet efforts. She inspired me to look for a career where I would be involved in developing new and critical technologies, and to seek a role where I could facilitate and assist the efforts of those like her and her colleagues. I have been very

fortunate to work with engineers and scientists at the tops of their fields, who create the technology we now use every day in areas such as smart-phones, wearable sensor devices and medical devices—and are working to advance and transform it for tomorrow.

What kinds of new technologies should tomorrow's lawyers be able to use effectively?

E-discovery tools like TAR, which can be programmed to quickly target more relevant documents during fact discovery at a much lower cost and burden.

What's one area of technology that you're most excited about and why?

I'm very excited about the integration of medical and consumer device technology, which can identify and answer problems that previously couldn't be diagnosed or addressed. For example, an ICD or external monitor like an Apple Watch or Fitbit could notify emergency responders of heart failure as it begins, which shortens response time and increases chances of survival. Technology is being used to build an exoskeleton for those afflicted with Parkinson's disease or other diseases affecting motor skills. The exoskeleton lets them walk for the first time in years.

—Ross Todd