

Daily Journal

NOVEMBER 16, 2022



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GIBSON, DUNN & CRUTCHER LLP
LOS ANGELES
LITIGATION

Jay Srinivasan is co-partner in charge of Gibson, Dunn & Crutcher LLP's Los Angeles and Century City offices. He is a member of the firm's antitrust and competition practice group with a focus on intellectual property and technology-related litigation. He's been with the firm since 2004 and holds an undergraduate degree in electrical and computer engineering.

"That degree has been helpful to me from my early career on when I was doing cases involving HP and Intel," Srinivasan said. "Often, when I'm developing the facts, I turn to the engineers. Having a facility with the subject matter makes me better able to communicate and earn the trust of the Silicon Valley folks."

Srinivasan tried patent law, but soon turned toward antitrust. "The high stakes drew me to antitrust law," he said. "There are no small antitrust cases. You get to work on significant issues. It comes down to the story and a question of plausible allegations — if the plaintiff's story doesn't hold up,

there's an affirmative defense story to tell. All of that resonated for me."

In September 2021, Srinivasan and the Gibson Dunn team secured a major defense win for Apple Inc. following a three-week trial over the company's app store business model. *Epic Games Inc. v. Apple Inc.*, 4:20-cv-05640 (N.D. Cal., filed Aug. 13, 2020).

The case was one of the *Daily Journal's* Top Verdicts of 2021. The issue was whether Apple is a monopoly, with a core expert question coming down to the scope of the relevant market. Srinivasan cross-examined executives from Epic, Microsoft Corp. and Nvidia Corp. and conducted the direct examinations of two Apple executives, including the head of Apple's app store, the focus of the suit.

In a follow-on matter, Srinivasan represented Apple in a suit by SaurikIT LLC, an alternative app store, alleging anti-competitive practices. *SaurikIT LLC v. Apple Inc.*, 4:20-cv-08733 (N.D. Cal., filed Dec. 10, 2020).

In May 2022, the court found most of the plaintiff's claims to be time-barred; the plaintiff is now voluntarily dismissing its few remaining claims. Both the Epic Games and SaurikIT outcomes are currently under review at the 9th U.S. Circuit Court of Appeals. In the Epic appeal, oral argument is set for November.

Srinivasan and colleagues are leading the defense of Chevron USA in litigation with California refiners and a gasoline retailer, Persian Gulf, alleging the defendants conspired to restrict output and raise gas prices. *Persian Gulf Inc. v. BP West Coast Products LLC et al.*, 3:15-cv-01749 (S.D. Cal., filed Aug. 6, 2015).

"Beyond the substantive case, we're also fighting discovery battles. We won dismissal for Chevron on summary judgment, but now we're off to the 9th Circuit on their appeal."

—JOHN ROEMER