



INTELLECTUAL PROPERTY HOT LIST

A SPECIAL REPORT

Gibson, Dunn & Crutcher LLP

The National Law Journal presents its second annual Intellectual Property Hot List. Among this year's group you'll find 20 law firms that have demonstrated creative, formidable talent in litigation, patent prosecution and deal-making. Some of the top teams operate within giant, full-service law firms with offices throughout the world; others practice at small shops that focus solely on intellectual property matters. Whatever their size, these firms' cases often have billions at stake, and patents involving impressive advancements in science and technology including ground-breaking pharmaceuticals; the contents of the food we put on our tables; and the ways we communicate with each other.

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Gibson Dunn

When it comes to high-stakes or bet-the-company litigation, Gibson, Dunn & Crutcher jumps in—and wins big.

Josh Krevitt, co-chairman of Gibson Dunn's intellectual property practice, said the advantage his team offers is the ability to take on cases any time from six months before trial to a few weeks.

For example, he said, he and a Gibson Dunn team were brought in during Thanksgiving weekend last year to represent T-Mobile USA Inc. in a patent infringement case filed in the Eastern District of Texas.

T-Mobile was accused by Realtime Data Solutions of infringing 11 patents. The rival sought \$265 million in damages.

The case went to trial in February, and after two hours of deliberations the jury returned a verdict in T-Mobile's favor. Partners Daniel Thomasch, William Dawson, Tracey Davies and Frederick Chung also worked on the case.

"It's the kind of case we handle," Krevitt said. "They are the scariest, in that you're picking up the work of another law firm."

In his view, too many attorneys set up cases to settle rather than prepare for trial. At the very least, such preparation gives a party a stronger bargaining position in any settlement discussions, he said. "You're much more likely to agree if you set it up for trial."

Another bet-the-company case involved client Roamware Inc., a San Jose, Calif., company that provides services for wireless network operators; a rival, Starhome Ltd., filed an infringement case in Delaware district court over a patent related to international roaming on mobile devices. Roamware is quite smaller than many of Gibson Dunn's other corporate clients—Facebook Inc., AT&T Inc., Hewlett-Packard Co. and Sharp Corp., for instance—but losing the case would

have meant the end of the company, Krevitt said. In September, the court dismissed the case with prejudice.

Gibson Dunn is neither looking to grow for the sake of growth nor to reach some artificial threshold in terms of the book of business, Krevitt said. That said, the Los Angeles-based firm is engaged in lateral partner discussions in three offices. "Our goal is not to be the biggest," he said. "Our goal is to be the best—nothing short of the best."

He added: "When we built out these various practices in IP, we really wanted to be the very best or one of the firms that clients think about when they have important matters."

—MATTHEW HUISMAN