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TOP SHOP: GIBSON DUNN

Litigation Department of the Year

The Navigators

Wilmer is on a long mission to reshape the law. Buckle up.

By Scott Flaherty

WHEN WILMER CUTLER PICKERING HALE AND DORR'S intellectual property lawyers take on a client's cause, they tend to cast their gaze beyond the immediate case they're litigating. As partner Mark Selwyn explains, Wilmer often sits down with clients to work out a three-to-five-year road map of "where we want to shape the law. ... We bake that into the cases." Accordingly, the firm's IP group, which won our 2014 IP competition on the back of its success representing Apple Inc. in the smartphone patent wars against Samsung Electronics Co., has spent much of its recent past pushing its clients' interests on appeal and in the U.S. Supreme Court.

SIGNIFICANT CASES: Wilmer pulled off three Supreme Court

victories, including a unanimous decision in June 2014 for POM Wonderful LLC in a trademark case accusing The Coca-Cola Co. of false advertising. Another notable result came at the U.S. Court of Appeals for the Federal Circuit on behalf of Apple: Patent holder VirnetX Inc. had sued the iPhone maker in Texas, and a jury handed down a \$368 million patent infringement verdict. On appeal, a Wilmer team led by former firm chairman William Lee convinced the Federal Circuit to set the verdict aside after finding flaws with VirnetX's theory of damages.

WHAT CLIENTS SAY: Allon Stabinsky, director of the litigation, licensing and patents group at Intel Corp., describes Wilmer as one of the company's go-to IP firms, especially in cases that may have a broad-reaching impact. "What sets them apart is long-term strategic thinking," he says. Stabinsky also praises the firm's versatility, saying that it can handle trial court-level work as well as appeals. Beyond renowned names like Lee and Supreme Court specialist Seth Waxman, Stabinsky says that Wilmer also has a talented stable of young litigators: "They've done a very good job of grooming that next generation of trial lawyers."

BIGGEST LOSS: Wilmer represented Cisco Systems in an induced infringement case brought by nonpracticing entity Commil USA LLC. After Cisco convinced the U.S. Court of Appeals for the Federal Circuit to toss a \$63.7 million judgment in Commil's favor, the Supreme Court breathed new life into the suit, rejecting Wilmer's argument that a good faith belief that a patent is invalid can be a defense to such claims.

NEW MATTERS: Wilmer continues to represent Apple in a battle against Ericsson Inc. related to industry-standard patents for LTE wireless networks.



Practice Group Size and Revenue:

Partners 44 Associates 36 Counsel 34

Department as Percentage of Firm 10%

Percentage of Firm Revenue, 2014 11.1%

FROM LEFT William Lee, Nina Tallon, Cynthia Vreeland, Seth Waxman, Mark Selwyn