



## Genevieve Wallace Partner

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### Overview

Genevieve Wallace is a partner in the Seattle office of Susman Godfrey where she has practiced since 2007. She has a diverse commercial practice – representing both plaintiffs and defendants, individuals and Fortune 500 companies, and advocating for her clients in federal and state court, before administrative tribunals, and in arbitration.

Wallace is known for her devotion to her clients, her ability to lead through inspiration, and, most notably, for using strategic problem-solving and outside-the-box thinking. This is nowhere more apparent than in her bringing Susman Godfrey's successful patent litigation practice to the International Trade Commission (ITC), where Wallace has now been involved in several intellectual property investigations.

### Focus on IP

While Wallace is skilled at trying cases in all legal areas, she has recently focused much of her litigation on intellectual property, where she has proved herself a force to be reckoned with both within and outside of Susman Godfrey. Wallace has taken on industry giants such as Samsung, LG, Sharp and VIZIO as co-lead counsel on a patent infringement investigation before the International Trade Commission for her client, Cresta Technology Corp. This was the firm's first case before the ITC.

### Top-Name Clients

Wallace is currently trial counsel for online real estate company, Zillow, in a copyright infringement case, *Zillow v. VHT*, in which VHT accused Zillow of having copied approximately 90,000 of their home images on the Zillow website. The Susman Godfrey team successfully got 70% of the case thrown out before trial. The subsequent trial resulted in an award of the lowest possible damages on most of the images still at issue. In 2017, post-trial motions took a big bite out of the judgment, with the jury's findings of infringement being thrown out as to 24,000 of the remaining 28,000 images. The case is now on appeal to the Ninth Circuit.

Wallace also represents Amazon Web Services in trademark litigation against CafeX Communications that launched in February 2017. In mid-2017, Judge Marrero in the Southern District of New York denied CafeX's request for a preliminary injunction, an early success for Wallace and the Amazon team. The case recently reached a confidential settlement.

### A Unique Background

Before joining Susman Godfrey, Wallace clerked first for the Honorable Betty Binns Fletcher, United States Court of Appeals for the Ninth Circuit, and then for the Honorable John C. Coughenour, United States District Court for the Western District of Washington where she gained unparalleled experience and priceless knowledge of the workings of the bench.

In 2014, inspired by Sheryl Sandberg's best-seller *Lean In*, Wallace worked with the King County chapter of Washington Women Lawyers ("KCWWL") and Mother Attorneys Mentoring Association of Seattle ("MAMAS") to start Lean In Circles for ambitious women attorneys throughout Seattle. Wallace's own Lean In Circle continues to meet monthly.

## Education

- Amherst College (B.A, magna cum laude, English/Women and Gender Studies, 2000)
- University of Michigan Law School (J.D., cum laude, 2005)

## Clerkship

Law Clerk to The Honorable Betty Binns Fletcher, U.S. Court of Appeals for the Ninth Circuit, 2005-2006  
Law Clerk to The Honorable John C. Coughenour, U.S. District Court for the Western District of Washington, 2006-2007

## Honors and Distinctions

*Lawdragon* 500 Leading Litigator ([2022](#))

[Future Star](#), Benchmark Litigation (2022, Euromoney)

Recommended Lawyer – Commercial Litigation, Best Lawyers in America ([2021](#), [2022](#), [2023](#) Woodward White Inc.)

*Lawdragon* 500 Leading Plaintiff Financial Lawyers ([2019](#), [2020](#), [2021](#), [2022](#))

Named a "Super Lawyer" by *Washington Law & Politics Magazine* – an honor awarded to the top 5% of lawyers in Washington (Thomson Reuters, 2019 – 2022).

Named to the "Under 40 Hot List" by Benchmark Litigation (Euromoney, 2017)

Included by The IAM Patent 1000 as a "[Leading Patent Professional](#)" for Patent Litigation in 2017

Named a "Rising Star" by *Washington Law & Politics Magazine* – an honor awarded to the top 2.5% of lawyers in Washington (Thomson Reuters) (2013-2018)

Nominated by client Fractus, S.A. to the "Fractus Hall of Fame"

Articles Editor, University of Michigan Law Review

## Notable Representation

### **Intellectual Property and International Trade**

#### ***TravelPass v. Expedia* (AAA arbitration and D. Utah; 2016 – present)**

Wallace is lead counsel for Expedia in this breach of contract and trade secret misappropriation case. Wallace was hired before the litigation was filed, preparing the company's defenses and in settlement negotiations. After the plaintiff filed suit in Utah, Wallace successfully achieved a complete stay of that litigation and moved the claims to a AAA arbitration, where discovery is now ongoing.

#### ***Zillow v. VHT* (W.D. Wash.; 2015 – present)**

Wallace is currently trial counsel for Zillow, in copyright infringement case, *Zillow v. VHT*, in which VHT

accused Zillow of having copied approximately 90,000 of their home images on the Zillow website. The Susman Godfrey team successfully got 70% of the case thrown out before trial (62,000 images). The subsequent trial resulted in an award of the lowest possible damages on most of the images still at issue. In 2017, post-trial motions took a big bite out of the judgment, with the jury's findings of infringement being thrown out as to 24,000 of the remaining 28,000 images. The case is now on appeal to the Ninth Circuit.

***Amazon v. CafeX (S.D.N.Y.; 2017 – 2018)***

Wallace represents Amazon Web Services in trademark litigation against CafeX Communications that launched in February 2017. CafeX alleges trademark infringement and unfair competition by Amazon, saying that Amazon launched its "Chime" communications platform that directly infringes CafeX's "Chime" software for video and voice conferencing, web chat and document sharing. In mid-2017, Judge Marrero in the Southern District of New York denied CafeX's request for a preliminary injunction, a significant success for Wallace and the Amazon team. The case recently reached a confidential settlement.

***Fractus v. Samsung et al. (E.D. Tex.; 2009 – 2011)***

Wallace represented plaintiff Fractus in a patent case involving antennas for mobile phones. Before trial, Fractus reached licenses with all the original Defendants except for Samsung. These licenses resulted in agreements worth up to nearly \$70 million in total. The trial resulted in a \$23 million verdict for Fractus against Samsung on May 23, 2011, and the Court awarded an additional \$15 million in enhanced damages. After judgment was entered, the case settled for a confidential sum.

***Fractus v. ZTE (E.D. Tex.; 2017 – present)***

Wallace represents plaintiff Fractus in a follow-on patent case involving their successful mobile phone antenna technology. The case is still in its early stages.

***WizKids v. Wizards of the Coast (W.D. Wash.; 2007-2008)***

Wallace represented patent-holder Wizards of the Coast in a patent infringement case the Western District of Washington. After successfully opposing two early summary judgment motions, the case settled just before Markman proceedings.

**General Commercial Litigation**

In 2012 and 2013, Wallace represented a world-renowned surgeon in cases pending in federal court and arbitration against a medical device manufacturer. The lawsuits resulted in a confidential settlement after a patent inventorship trial in federal court and all arbitration proceedings completed.

***T-Mobile USA. v. IDT Domestic Telecom (2009-2012)***

Wallace represented T-Mobile in a breach of contract suit pending in King County Superior Court in Washington and defended the company against unfair competition counter-claims. The case settled days before trial was to begin.

## Professional Associations and Memberships

State Bar of Washington, 2007