

IP Group Of The Year: Susman Godfrey

By Tiffany Hu

Law360 (January 22, 2019, 3:47 PM EST) -- Susman Godfrey LLP delivered a \$706.2 million trial verdict for HouseCanary in a trade secrets case over real estate valuation technology, and defended Uber against Waymo in the companies' self-driving car trade secret battle, securing a spot among Law360's IP Groups of the Year.

Susman Godfrey attorneys pride themselves on being trial lawyers first, which partner Kalpana Srinivasan said shapes how they view and approach cases in a way that is different from a firm that has intellectual property lawyers or litigators. The firm does not have formal practice groups, though roughly a quarter of its attorneys have handled intellectual property matters.

"We're trial lawyers trying to bring cases to their resolution and prepared to take them all the way through their resolution," Srinivasan said. "It shapes everything we do, from how we approach discovery, how we learn about a case, how we staff it. I think it really flavors how we approach the IP cases, because we are learning them at a level that allows us to be fluent before judges, juries and people who are hearing about these issues for the first time."

In March, a Texas state jury awarded \$706.2 million to HouseCanary, a data analytics startup, agreeing that former collaborator Title Source Inc. brazenly stole proprietary data recipes for home appraisals and comparisons as it allegedly readied to build its own software suite.

The jury had awarded \$201.6 million for the value of the misappropriated trade secrets to HouseCanary at the time they were stolen, \$403.2 million for exemplary damages for the appropriation, \$33.8 million for fraud in connection with a contract between the parties in which HouseCanary agreed to provide access to the app, and \$67.6 million in exemplary damages for the fraud.

Susman Godfrey represented HouseCanary in the case, and partner Max Tribble said he was "particularly proud" of his team during the trial, where each of the witnesses on the other side was shown to be untruthful on cross-examination, he said.

"The key to the HouseCanary case was all the preparation we did, and the job we did at trial cross-



examining the witnesses," Tribble said. Title Source, now known as Amrock, lost its bid for a new trial in January.

Susman Godfrey was also brought on to represent Uber late in a case in which Google's self-driving car unit Waymo had alleged that Uber infringed its patents and stole its trade secrets for its self-driving car project and sought \$2 billion in damages. Before trial, the group was able to strike down Waymo's experts' damages opinions, which Tribble said was "instrumental" in the companies' eventual settlement of the case in February.

"Damages was kind of the key issue in the case," Tribble said. "I think our team really dived in head first into the deep end and took over the damages component, and we were successful in getting a large part of their damages model struck."

Susman Godfrey's ability to get up to speed quickly, even when brought on last minute to go try these intellectual property cases, is what makes the firm stand out, Srinivasan said.

"I think that we bring to the intellectual property practice our trial experience, and our ability to get those cases trial-ready and to learn how to do that quickly, but with the depth needed to explain those issues to the jury," she said.

--Additional reporting by Cara Salvatore and Melissa Daniels. Editing by Nicole Bleier.