

MVP: Susman Godfrey's Kalpana Srinivasan

Law360 (December 3, 2018, 5:38 PM EST) -- Kalpana Srinivasan of Susman Godfrey LLP has clinched multimillion dollar wins for her clients in several intellectual property disputes this year, including a \$706 million jury verdict in a Texas trade secrets case, landing her a spot as one of Law360's 2018 Intellectual Property MVPs.

HER BIGGEST ACCOMPLISHMENT:

Srinivasan scored a \$706.2 million jury verdict in March for her client HouseCanary Inc., a data analytics startup, after a Texas state jury found that Title Source Inc. had misappropriated the company's trade secrets.

Srinivasan served as co-lead counsel for HouseCanary throughout the seven-week trial in San Antonio. Title Source had initially sued HouseCanary for breach of contract, and HouseCanary then filed the trade secrets counterclaims.

Srinivasan told Law360 that HouseCanary did not learn of Title Source's use of its technology until late in the case, because the theft was "concealed" from the company, forcing the legal team to "work hard to get to the bottom of the matter" during discovery.

"Being in trial everyday and being able to be in the courtroom is a special kind of thrill and excitement," Srinivasan said. "It was a great experience to be able to represent our client and to be able to obtain the result that we did after a lengthy trial, a lengthy courtroom battle," she said.

HER BIGGEST CHALLENGE THIS YEAR:

Srinivasan recently won class certification in a lawsuit against telecom giant Qualcomm, in a case she described as falling in the "intersection between antitrust and intellectual property law."

Srinivasan was appointed to serve as co-lead counsel representing a class of smartphone consumers

MVP



**Kalpana
Srinivasan**
Susman Godfrey

who accused Qualcomm of engaging in anti-competitive licensing practices related to the company's patented modem chipsets. The consumers alleged that Qualcomm hikes up the patent licensing fees it charges cellphone makers who use those chips, and those costs are eventually passed on to consumers.

"It was a massive undertaking getting together everything to support our position on class certification. A lot was put into preparing that and presenting that to the court, from our legal analysis to fact-gathering to expert declarations," Srinivasan said.

A California federal judge certified the class, estimated to include 250 million people, in September. Qualcomm's appeal, in which the tech giant says the suit is "quite likely the biggest class action in history," is currently pending before the Ninth Circuit.

WHY SHE'S AN INTELLECTUAL PROPERTY ATTORNEY:

Srinivasan's interest in technology began while working as a reporter for The Associated Press, covering telecommunications during the advent of high-speed internet, which she said gave her early exposure to emerging technologies.

After she left journalism to become a lawyer, she said her reporting background made her interested in continuing to work in that area and the ways the law can be applied to it. She now focuses her practice on patent work, trade secrets and copyrights, as well as antitrust and competition disputes for a variety of clients, including those in biotech, real estate, software analytics and the automotive industry.

"I love learning about the technology — about how it fits into a client's business, about what its value is to the client and to people who use that technology. I think it's really interesting and challenging and adds another dimension to the legal work," Srinivasan said.

OTHER NOTABLE CASES:

In May, Srinivasan won final approval of a \$43 million class action settlement for a class of songwriters, resolving claims against Spotify that the music streaming service had failed to pay songwriters their royalties.

As co-lead counsel, Srinivasan represented a class of musical composition owners in their copyright infringement suit against the music giant. In addition to paying the class \$43.45 million for past unpaid royalties, Spotify also committed to paying them another \$63 million in ongoing royalties, plus more than \$13 million for class counsel.

"I really enjoyed coming up with ways we could both ensure that class members got monetary benefits, but also for how we could improve the process going forward," she said, noting the settlement also includes provisions to improve Spotify's payment process.

"Being able to try to improve that process on a going-forward basis is very rewarding, with the hope the copyright holders will have their royalties paid in the future consistently," she said.

She has already represented Flo & Eddie, the founding members of the 1960s rock band The Turtles, in a lawsuit with Pandora Media Inc. over copyright violations for pre-1972 recordings. That suit is currently pending before the California Supreme Court.

Srinivasan said that, even though she doesn't have a background in music, she has found the area to be "really interesting" to work in. She added that it's "gratifying to figure out how to make sure that individuals who are rights holders — who have rights in their music or their recordings — get paid for it."

ADVICE TO JUNIOR ATTORNEYS:

Srinivasan said she would advise younger attorneys to seek out opportunities where they can "take ownership" and to not be afraid to "dig in" when learning about a client's technology.

"Your ability to learn and figure it out and be fluent in it will be critical to your ability to convey it to a court or jury," she said, a lesson she said she learned as a telecom reporter covering such a technical industry.

"Once I started writing on it, I loved the subject matter, and I really enjoyed figuring that piece of it out. And it was a good lesson that you can take and absorb something new and complicated and technical and try to make sense of it," she said.

— *As told to Suzanne Monyak*

Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2018 MVP winners after reviewing nearly 1,000 submissions.

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