



2021 TOP INTELLECTUAL PROPERTY LAWYERS

Kalpana Srinivasan

As she litigates cases that shape the landscape of IP law, Srinivasan also finds time to mold her firm's development.

In the past year she argued significant appeals regarding the rights of trade secret holders plus copyright protection for owners of pre-1972 sound recordings.

And in August 2020 she was elected Susman Godfrey's first female managing partner, the first to be based away from its Houston headquarters and the first to have come up through the ranks after having begun as an associate.

Busy? "There's always time to do the things you're excited about," she said, "including handling these great cases and working on the future of the firm."

In February, Srinivasan argued before the 9th U.S. Circuit Court of Appeals over whether California law protects the public performance rights for pre-1972 sound recordings.

She is co-lead counsel for rockers Flo & Eddie, the founding members of the 1960s music group The Turtles, along with a class of owners of pre-1972 sound recordings. *Flo & Eddie Inc. v. SiriusXM*, 15-55287 (9th Cir., filed Feb. 24, 2015).

Earlier, she attained a so-called high-low settlement and reached a license agreement with SiriusXM worth up to \$73 million for class members — a deal that offered the advantage of payouts to the class even as she retained the right to take to the circuit the legal question at the heart of the case.

If she prevails, there will be an additional \$5 million for the class along with ongoing

future royalties. An opinion from a circuit panel is pending, as is a similar potential class action against Pandora Media LLC.

"Federal law protects the rights at issue, and the California Legislature also sought to protect those rights," Srinivasan said.

The litigation now concerns a clash between the federal Music Modernization Act and the applicability of state statutes to pre-1972 recordings.

Last month Srinivasan settled for a confidential amount a dispute over a patent portfolio developed at USC's Shoah Foundation to catalog videos of Holocaust survivors.

The suit accused pornography provider MindGeek of streaming activity using the patents' technology. *Preservation Technologies LLC v. MindGeek USA Inc.*, 17-CV08906 (C.D. Cal., filed Dec. 11, 2017).

And in a case that yielded a \$706.2 million Texas jury verdict for her client, Srinivasan serves as co-lead counsel for real estate service provider HouseCanary Inc. in its trade secret misappropriation, fraud and breach of contract counterclaims against Title Source Inc., a rival and Quicken Loans affiliate now known as Amrock LLC.

A petition for review is currently before the Texas Supreme Court, where argument is possible later this year. *Title Source Inc. v. HouseCanary Inc.*, 2016-CI-06300 (Bexar Co., Tx., Jud. Dist., filed April 12, 2016).

"These cases show a range of interesting subject matters that get your brain moving," Srinivasan said. "Also, there's bettering your



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firm with a vision for the future. Both are energizing. It's exciting work, being a lawyer."

— John Roemer