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# How Susman Godfrey Got A Trade Secret Win For Yale

By **Rose Krebs**

*Law360 (July 30, 2026, 3:04 PM EDT)* -- Attorneys from Susman Godfrey LLP said this week they helped secure a recent $3 million jury award in Delaware federal court for Yale University in a trade secret misappropriation case by keeping their trial strategy focused on "common sense" issues.

Nick Spear

On Friday, a jury awarded Yale $3 million, saying it showed that venture capital firm RA Capital Management GP LLC had breached a confidentiality agreement with the university and that it and an affiliated company had misappropriated a trade secret owned by Yale and Biohaven Therapeutics Ltd. related to technology that degrades disease-causing proteins.

Kalpana Srinivasan

"We feel gratified the jury recognized the importance of protecting the confidential scientific advancements that universities like Yale work so hard to develop," Susman Godfrey partners Nick Spear and Kalpana Srinivasan said in a statement on Monday. Srinivasan has served as the firm's managing partner since 2020.

The jury found that Yale and Biohaven, which licenses the technology at issue in the litigation from Yale, had shown that RA Capital and Avilar Therapeutics Inc. willfully and maliciously misappropriated a trade secret related to the technology, which was developed by Dr. David Spiegel.

Yale was awarded $2 million for the breach of confidentiality agreement and another $1 million for the trade secret misappropriation, while Biohaven was also awarded $1 million for the misappropriation. No exemplary damages were awarded for the misappropriation having been found to be willful and malicious, the form said.

In an announcement on Monday, Susman Godfrey said the technology at issue was developed at Yale by Spiegel. RA Capital received confidential trade secret information about the technology from Yale after expressing an interest in partnering with the university and signing a confidential disclosure agreement, the firm said.

Yale and Biohaven alleged in a suit initially filed in 2023, and then amended in 2024, that RA Capital instead set up Avilar Therapeutics and misappropriated trade secrets regarding the technology.

Srinivasan and Spear said Yale's counsel team was able to win a verdict in the university's favor after a five-day trial in Delaware federal court because its strategy was focused on pointing out inconsistencies with RA Capital and Avilar's positions and other "common sense" principles the jurors could easily grasp.

In the amended suit, Yale and Biohaven said a 2019 agreement between RA Capital and the university protected "the use and disclosure of, among other things, scientific, technical, and product information" that Spiegel had disclosed to RA Capital in discussion about possible funding to develop the "novel technology for extracellular protein degradation."

RA Capital, Yale and Spiegel had been in talks about a potential deal, but those talks broke down before any contract agreement was reached, the suit said.

"Unbeknownst to Dr. Spiegel and Yale, after terminating its negotiations with Yale, RA Capital funded the creation of Avilar," and used trade secrets "to develop their competing extracellular degrader company," the suit alleged.

Srinivasan said Yale's counsel team focused on pointing out inconsistencies with RA Capital and Avilar's assertion that the trade secrets and technology at issue wasn't valuable or innovative.

They posed a "common sense" question to the jury: If that was in fact the case, why had RA Capital and Avilar negotiated with Yale and Spiegel about commercializing the technology?

"We took aim at their motivation," Srinivasan said. "We focused on their attempt to cut out Yale and Dr. Spiegel."

Having the jurors hear from Spiegel about his work on the technology was also important, she added.

The team's "common sense story of what happened" — that RA Capital formed Avilar after failing to reach an agreement with Yale and Spiegel and used their trade secret to move ahead anyhow — had resonated with jurors, Spear said.

Another key focus at trial was driving home to jurors how important trade secret confidentiality is for academic institutions when they bring on partners to commercialize technology that is aimed at helping people, he said.

Biohaven's attorney Roger Crane of K&L Gates LLP agreed, telling Law360 in an emailed statement on Wednesday: "When universities reveal their trade secrets to funds or companies it is critical that they can trust that the information will be protected. This lawsuit was about protecting the integrity of the system."

Avilar and RA Capital have asserted counterclaims, including trade libel and commercial disparagement claims and a patent infringement claim against Biohaven. The counterclaims are set for trial at a later date, according to a court document.

In an emailed statement to Law360 on Wednesday, Ariel C. Green Anaba of Wilson Sonsini Goodrich & Rosati PC, who represents Avilar and RA Capital, said only some of the damages sought were awarded, as the jury last week rejected misappropriation claims asserted by Yale and Biohaven related to another trade secret.

"RA Capital and Avilar continue to maintain that these claims lack merit and that there was no wrongdoing," she said. "We look forward to pursuing post-trial and appellate remedies and to prosecuting our patent infringement counter-claims against Biohaven."

Yale University is represented by Kalpana Srinivasan, Nick Spear, Amanda Bonn, Nick Carullo, Jerry Klaristenfeld and Evie Spanos of Susman Godfrey LLP and Brian E. Farnan and Michael J. Farnan of Farnan LLP.

Biohaven Therapeutics is represented by Kenneth L. Dorsney and Cortlan S. Hitch of Morris James LLP and Roger Crane and Vince Galluzzo of K&L Gates LLP.

Avilar Therapeutics Inc. and RA Capital Management GP LLC are represented by Philip A. Rovner, Bindu A. Palapura, Nicole K. Pedi and P. Andrew Smith of Potter Anderson & Corroon LLP and Joseph R. Slights III, Andrew D. Cordo, Brad D. Sorrels, Kaitlin E. Maloney, Ariel C. Green Anaba, Luis Li, Matthew Macdonald and Eric Tuttle of Wilson Sonsini Goodrich & Rosati PC.

The case is Biohaven Therapeutics Ltd. et al. v. Avilar Therapeutics Inc. et al., case number 1:23-cv-00328, in the U.S. District Court for the District of Delaware.

--Editing by Alex Hubbard and Marygrace Anderson.