

LAW DRAGON

500 LEADING LAWYERS IN AMERICA

Issue 14

THE ACHIEVERS



Geoffrey Howard
BINGHAM (SAN FRANCISCO)

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GEOFFREY HOWARD

ORACLE'S RECORD-SETTING \$1.3 billion copyright damage award in December 2010 was a breakthrough moment for Bingham McCutchen partner Geoffrey Howard, co-lead counsel for Oracle, who had worked on the case for four years. Oracle tapped Howard to lead its investigation of possible copyright infringement claims against German rival SAP in 2006. That was just one of the numerous tasks the 1991 graduate of Harvard Law School was juggling.

He also was multitasking with firm leadership roles. In 2007, Howard became regional managing partner of Bingham's San Francisco and Silicon Valley offices. He was also promoted from being co-chair of the firm's intellectual property litigation practice to co-chair of Bingham's 400-lawyer litigation practice. One might think that left very little time to do much of anything else, but the talented and versatile lawyer—he's also advised alcohol and tobacco industry groups in developing legislative, legal and public relations strategy—recently managed to take up gardening too.

LAWDRAGON: How did you end up being one of the lead litigators for Oracle's software piracy case against SAP?

GEOFF HOWARD: I got a call one day from Oracle saying they had been the victim of a massive downloading attack against their password-protected customer website, and could I help investigate the source and put a stop to it. I started that day. The jury verdict in that case is considered the largest-ever jury award for copyright infringement so far.

LD: But what else, aside from the magnitude of the damages award, made that case unique for you personally and professionally?

GH: It is rare to discover that the most senior management of one of the world's leading technology companies is involved in, by their own admission at trial, knowing copyright infringement to gain an unfair competitive advantage against their top rival.

LD: Can you describe the days of preparation leading to the jury trial?

GH: Trial preparation is always intense and this case was no exception. Let's just say that the entire legal team and a good many of the witnesses got to spend quite a bit of quality time together.

LD: What kind of cases are you handling right now after you've switched hats from being the chair of the firm's IP litigation practice to co-chair of the firm's litigation practice?

GH: My practice has stayed consistent, focusing on copyright, internet intrusion, data security and trade secrets cases, mostly involving competitors.

LD: Most large general practice firms can claim to be able to handle any size litigation for clients, but in your view what makes Bingham's litigation group different from the others?

GH: We live and breathe our clients' business. We try to understand it technically, strategically and legally. We are creative in molding the litigation strategy to fit our clients' business objectives. And we have a pretty good track record of getting excellent results.

LD: After law school, did you really want to be a litigator? What attracted you to that practice?

GH: Yes, I really did. I wanted to try cases and to get involved in cutting-edge technology.

LD: There are various ways one can become partner in a big firm. What was your path?

GH: I worked hard, I listened to and observed people I considered great lawyers, and I tried to learn from every mistake. I was lucky to work with great teachers and clients.

LD: There has been a huge drop in the number of people applying to law school because of the dismal job market for lawyers. Would you still have chosen a career in the law today?

GH: It's impossible to say, but I suspect so. If there has been a drop, I suspect it is from a group of people not really committed to the law or unsure of what to do. The most talented people who see the law as the best fit for their goals, whatever those might be, are still going to school, and still thriving.

LD: Did you have a favorite professor or class?

GH: It's hard to pick a favorite but my first-year criminal law class with Kathleen Sullivan certainly stands out, not just because she was such a great teacher but also because my dad visited me and decided after sitting in on that class to change careers and apply to law school. It was fun to share that anecdote with Kathleen when she and I found ourselves later working together in private practice.

LD: Did your dad go to law school before, during or after you graduated from law school? What was that like, having your dad follow your footsteps, so to speak?

GH: He graduated two years after me. It was great fun getting the chance to be his role model for a change. We would talk law all the time.

See the full Q&A at <http://www.lawdragon.com/lawyer-limelights/geoffrey-howard>.

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