

Rising Star: Wilson Sonsini's Michael Rubin

By **Greg Ryan**

Law360, New York (April 02, 2013, 4:32 PM ET) -- Google Inc. and other members of the Silicon Valley vanguard have turned repeatedly to Wilson Sonsini Goodrich & Rosati partner Michael Rubin to handle litigation on the cutting edge of privacy law, making him one of three young privacy attorneys spotlighted by Law360 as a rising star.

The 38-year-old Rubin earned a spot on Law360's Rising Star list through his work on behalf of companies ranging from startups to behemoths such as Google, YouTube LLC and Wikipedia.

His most recent victory for Google came in multidistrict litigation in California accusing the company of collecting and sharing user data on its Android mobile operating system without consumers' consent. The plaintiffs brought claims under the Consumer Fraud and Abuse Act, California Unfair Competition Law and California Comprehensive Computer Data Access and Fraud Act, among other allegations.

A judge dismissed all of the claims in late March, though he did allow the plaintiffs to amend their complaint. He struck down nearly all of the grounds for standing the plaintiffs cited for bringing the suit, including their assertion that Google's actions diminished the value of their personally identifiable information.

Rubin also represents Google in multidistrict litigation in California over its Street View vehicles' collection of consumers' Wi-Fi data. He and his colleagues won the dismissal of all of the plaintiffs' claims except a Wiretap Act allegation. The case has been stayed while the parties fight over the correct interpretation of that law before the Ninth Circuit.

In addition, he is handling federal litigation in Delaware and state litigation in California that claims Google improperly put cookies on Safari and Internet Explorer browsers. The company has moved to dismiss the allegations.

"If you're pushing the edge with respect to what you're doing, there's always someone who is going to raise an eyebrow about it," Rubin said.

Rubin, who is based in Wilson Sonsini's San Francisco office, knew from the beginning of his legal career that he wanted to work on behalf of innovative companies. He headed to the Golden State after graduating from the University of Michigan Law School in 2000.

"I love technology at heart. I always have. It's what keeps me so engaged," he said. "I can imagine all sorts of other avenues of law where having a broad set of matters at the same time wouldn't keep me so engaged."

In addition to his privacy and data protection work, Rubin practices in the copyright field. He represented Google and YouTube in the copyright litigation brought by Viacom Inc. that resulted in the landmark ruling that YouTube videos were protected by the Digital Millennium Copyright Act.

"Having that full panoply of experience allows me to better advise my clients, regardless of which particular innovation they're dealing with," he said.

Though his name is on filings in some of the most high-profile privacy litigation to date, Rubin said his goal is to help clients avoid litigation and regulatory scrutiny in the first place.

Rubin became a partner at Wilson Sonsini in 2009. In a place like Silicon Valley, his age helps him connect with clients, he said.

"Many of my clients are younger than I am already, and the closer you are to the age of your clients, the better you can connect with them," Rubin said.

--Editing by Jeremy Barker.

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