

Brad Tennis

PARTNER

Antitrust and
Competition
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FOCUS AREAS

Antitrust Civil Enforcement
Antitrust Compliance and
Business Strategy
Antitrust Litigation
Antitrust Merger Clearance
Antitrust and Competition
Antitrust and Intellectual
Property
Artificial Intelligence and
Machine Learning
Third-Party Merger and
Non-Merger Antitrust
Representation

EXPERIENCE

Brad Tennis is a partner in the Washington, D.C., office of Wilson Sonsini Goodrich & Rosati, where he is a member of the antitrust practice. Brad's practice focuses on global government conduct investigations, antitrust litigation, and counseling, with a particular emphasis on emerging antitrust issues in high-technology sectors. Brad has represented clients in a number of landmark antitrust cases, including: Google in the FTC investigation that concluded with no enforcement action in 2013, Deutsche Telekom in the successful defense of the merger of T-Mobile and Sprint, and Google in the ongoing suits brought by the DOJ and State Attorneys General. He has represented clients in a broad range of industries, including software, telecommunications, computer and networking hardware, online advertising, internet infrastructure, physical security, pharmaceuticals, and media.

CREDENTIALS

Education

- J.D., Yale Law School, 2011
- M.S., Computer Science, Stanford University, 2008
- B.S., Computer Science and Mathematics, Harvey Mudd College, 2006

Honors

- Recognized in the 2022 edition of *Lawdragon 500 Leading Litigators in America*
- With a team from Wilson Sonsini, awarded 2022 "Behavioural Matter of the Year for the Americas" for work defending Google against investigations from DOJ and state enforcers
- With a team from Wilson Sonsini, awarded *Global Competition Review's* 2020 "Matter of the Year" for representing Deutsche Telekom in the T-Mobile/Sprint Corporation merger
- With a team from Wilson Sonsini, awarded *Global Competition Review's* 2013 "Matter of the Year" for work on the Google/FTC Investigation

Admissions

- Bar of the District of Columbia
- State Bar of California
- U.S. District Court for the Northern District of California
- U.S. Court of Appeals for the Second Circuit
- U.S. Supreme Court

MATTERS

Select Matters

- Defending Google against monopoly maintenance claims arising from search promotion agreements with Apple and Android OEMs brought by the Department of Justice. Previously represented Google in investigations of search, advertising, and mobile businesses in the United States, Europe, Brazil, and India.

- Defended the T-Mobile/Sprint merger through review by the DOJ and FCC and suit brought by a coalition of state attorneys general to block the deal. The district court approved the merger.
- Represented Arista in monopolization claims against Cisco. The case settled before trial following successful defense against motions to dismiss and motions for summary judgment.
- Represented Hebei Welcome and North China Pharmaceutical Group in a successful appeal to the Second Circuit regarding price-fixing allegations and as respondents before the Supreme Court. The Second Circuit again found for Hebei Welcome and North China Pharmaceutical Group on remand.
- Represented Netflix in opposition to the Comcast/Time Warner Cable merger, which was subsequently abandoned.

INSIGHTS

Select Publications

- Co-author, "Biden administration and US antitrust agencies balance IP protection with competition concerns," *Americas Antitrust Review*, Global Competition Review, 2024
- Co-author with A. Simkins, "Can Criminal Enforcement of Section 2 Be Held Void for Vagueness?" *Antitrust*, Vol. 37, No. 2, Spring 2023
- Co-reporter, "Presidential Transition Report: The State of Antitrust Enforcement," American Bar Association, February 5, 2021
- Co-author with S. Sher, "Exploiting Others' Investments in Open Standards," *CPI Antitrust Chronicle*, September 2016
- Co-author with V. Jeffries, "United / Delta: A Paradox at the Heart of 'Slots,'" *Monopoly Matters*, Spring 2016
- Co-author with B. Labow and S. Sher, "Antitrust in the Trump Administration," *Concurrences Competition Law Review*, No. 4, 2016
- Co-author with S. Sher and C. Williams, "U.S. Antitrust" chapter, *The Mergers & Acquisitions Review*, Ninth Edition, Law Business Research, 2015
- Co-author with A. Murino, "Mergers in the Information Technology Industry in the U.S.: An Overview of Leading Cases," *eCompetitions Bulletin: U.S. Mergers in IT*, Art. No. 68765, September 25, 2014
- Co-author with S. Sher and C. Williams, "US Antitrust" chapter, *The Mergers & Acquisitions Review*, Eighth Edition, Law Business Research, 2014
- Co-author of "US Antitrust" chapter, *The Mergers & Acquisitions Review*, Seventh Edition, Law Business Research, 2013
- Co-author of "US Antitrust" chapter, *The Mergers & Acquisitions Review*, Sixth Edition, Law Business Research, 2012
- Co-author with S. Sher and J. Lutinski, "The Role of Antitrust in Evaluating the Competitive Impact of Patent Pooling Arrangements," *The Sedona Conference Law Journal*, Vol. 13, Fall 2012
- "Privacy and Identity in a Networked World," *Personal Data Privacy and Protection in a Surveillance Era: Technologies and Practices*, 2011