



HIGHLIGHTS

■ A Comprehensive Commercial Disputes Practice

Wilson Sonsini represents plaintiffs and defendants in cases alleging breach of contract, fraud, unfair competition, breach of fiduciary duty, breach of warranty, and interference with economic relationships, and also defends companies in product liability cases.

■ Accomplished Commercial Litigation Attorneys

Wilson Sonsini's commercial litigation attorneys have been recognized based on their successful representation of clients in high-profile matters in publications including *Chambers USA*, *The National Law Journal*, *Law360*, and the *Daily Journal*.

■ Wilson Sonsini Earns Honorable Mention in AmLaw's Litigation Department of the Year Awards

In December 2021, Wilson Sonsini was [profiled](#) among the select firms that earned honorable mentions as part of *The American Lawyer's* national "Litigation Department of the Year" awards. Earlier in the year, *The American Lawyer* also selected the firm as a 2021 regional Litigation Department of the Year [finalist](#) for California.

OVERVIEW

Wilson Sonsini's commercial litigation attorneys represent companies in a broad spectrum of business matters, including disputes with competitors, vendors, customers, or business partners. While we recognize that some disputes can only be resolved by a jury, our attorneys also regularly help clients avoid the burden and expense of litigation through creative business solutions and the use of alternative dispute resolution mechanisms such as mediation.

We have represented plaintiffs and defendants in cases alleging breach of contract, fraud, unfair competition, breach of fiduciary duty, breach of warranty, and interference with economic relationships, and we defend companies in product liability cases.

Among the companies Wilson Sonsini's commercial litigators have represented are industry leaders such as Acxiom, Amkor, Autodesk, Group Canal+, Linear Technology, and Vitesse.

REPRESENTATIVE MATTERS

Wilson Sonsini Secures Jury Trial Victory for Google in Case Alleging Misuse of Advertising Technology

On June 10, 2025, Wilson Sonsini secured a complete defense verdict from a Los Angeles jury in *ReactX LLC v. Google LLC*. ReactX sought \$1.3 billion in damages, alleging that Google breached a series of contracts by misusing ReactX's confidential technology to build two of Google's most successful digital advertising products. ReactX originally brought the case as one for trade secret misappropriation, but just two weeks before trial, it voluntarily dismissed its trade secret cause of action. The court further trimmed ReactX's lawsuit in response to nonsuit motions brought by Wilson Sonsini, ruling that Google was bound by only one of the contracts asserted by ReactX and dismissing ReactX's cause of action for breach of the implied covenant of good faith and fair dealing. After a six-week trial featuring 17 witnesses, the jury completely vindicated Google on ReactX's remaining cause of action for breach of contract.

Wilson Sonsini Secures Second Circuit Victory for RWE Clean Energy

On May 13, 2025, the U.S. Court of Appeals for the Second Circuit summarily affirmed a trial decision dismissing a \$70 million claim

against RWE Clean Energy involving the construction of the Cassadaga project, a wind farm in upstate New York.

Since 2021, Wilson Sonsini has represented renewable energy company RWE (and its predecessor, Innogy) in defending multiple contract disputes arising out of RWE's acquisition of renewable energy projects. A number of claims proceeded to trial in the Southern District of New York in November 2023, with the plaintiffs asserting that RWE had breached the covenant of good faith and fair dealing implied in the parties' agreement by failing to complete construction of the Cassadaga project until after December 31, 2020, in order to avoid its obligation to make a \$69.7 million milestone payment to the plaintiffs.

RWE prevailed following a five-day bench trial, with Judge Jennifer Rochon rejecting all claims that RWE had failed to diligently complete construction. The opinion was notable for describing the difficulties of wind farm construction work in New York during the early days of the COVID-19 pandemic and concluding that RWE endeavored to use its best efforts to complete construction, with any delays during that period understandable and not indicative of bad faith.

Wilson Sonsini Secures Total Victory for Inhibrx Biosciences in Trade Secret Misappropriation Trial

On November 1, 2024, a federal jury in Delaware unanimously returned a verdict for Wilson Sonsini clients Inhibrx Biosciences and Dr. Brendan Eckelman. Inhibrx and its co-founder, Dr. Eckelman, are at the forefront of developing innovative therapies to combat cancer using the body's own immune system. Their novel antibodies aim to both inhibit tumor growth and stimulate immune response.

In 2021, Dr. Eckelman served as an expert witness in an international arbitration dispute, reviewing confidential materials, submitting an expert report, and testifying at the arbitration. However, the losing party in that arbitration, dissatisfied with Dr. Eckelman's testimony, sued him and Inhibrx, alleging misappropriation of bispecific immuno-oncologic antibody trade secrets purportedly contained in the reviewed documents. The plaintiff sought over \$450 million in compensatory and punitive damages.

Wilson Sonsini's trial team took on the case as lead counsel just six weeks before jury selection. Throughout the proceedings, Inhibrx demonstrated that its scientific advancements were the result of its own diligent efforts, expertise, and innovation. Testimony from Inhibrx scientists underscored the company's commitment to independent research and development, as well as its robust protection of intellectual property. After a week-long trial, the jury unanimously concluded that the information Dr. Eckelman reviewed did not qualify as trade secrets, had not been obtained through improper means, and that neither Dr. Eckelman nor Inhibrx had used that information. In addition, the jury awarded the plaintiff \$0 in damages, marking a complete victory for Inhibrx and Dr. Eckelman.

Wilson Sonsini Defeats \$341 Million Arbitration Claim Against Aadi Bioscience

On September 26, 2024, an international arbitration tribunal delivered a unanimous award in favor of Wilson Sonsini's client, Aadi Bioscience, Inc., and decisively rejected the claimant's multimillion-dollar demand for damages.

Aadi is an innovative California biotechnology company that researches, develops, and commercializes cancer drugs using a revolutionary nanoparticle albumin-bound delivery system. Aadi's flagship product—ABI-009 (trade name FYARRO)—is FDA approved to treat patients with perivascular epithelioid cell tumors (PEComa), a rare and aggressive form of cancer.

In December 2020, Aadi entered a licensing agreement with a Chinese company for the development and commercialization of ABI-009 in China. When the parties experienced delays related to a third-party drug manufacturer, the Chinese licensee terminated the agreement and sued Aadi for breach of contract, claiming more than \$341 million in compensatory damages and lost profits.

Following an international arbitration trial under the auspices of the ICC International Court of Arbitration held in December 2023, the arbitral tribunal issued a unanimous award finding that Aadi did not breach the parties' license agreement and rejecting all the claimant's demands for relief. The tribunal adopted the contractual interpretation arguments advanced by Wilson Sonsini on behalf of Aadi and found that Aadi had exercised commercially reasonable efforts to provide its licensee with relevant manufacturing information.

Wilson Sonsini Secures New York Appellate Victory for NETGEAR

On February 20, 2024, the New York Appellate Division affirmed the complete dismissal of contract-based claims brought against Wilson Sonsini client NETGEAR, a computer networking company.

NETGEAR was sued in a contract dispute arising from a patent license agreement involving the plaintiff's patent and NETGEAR's power over ethernet technology. After a third party's comparable products were found not to infringe the plaintiff's patent, NETGEAR exercised its contractual right to cease royalty payments. Years later, long after both the patent license agreement and the underlying patent had expired, the plaintiff sued NETGEAR for approximately \$15 million in retrospective royalties and interest payments because the U.S. Court of Appeals for the Federal Circuit had overturned the third-party non-infringement finding.

At summary judgment, Wilson Sonsini prevailed against the plaintiff's breach-of-contract claims—obtaining complete dismissal of the claims against NETGEAR and preserving NETGEAR's counterclaim for trial.

On appeal, the First Department of the New York Appellate Division affirmed. The appellate court ruled that the patent license agreement did not require the parties to submit to arbitration to determine whether the non-infringement finding applied to NETGEAR's products before NETGEAR suspended royalty payments. It further found that the stipulations that the plaintiff had made to avoid arbitration foreclosed its argument on appeal that there had been a dispute that required arbitration. Finally, the court agreed with NETGEAR that there was a triable issue as to whether the plaintiff itself had breached the patent license agreement.

Firm Secures Jury Trial Victory for Guardian Innovative Solutions

A Wilson Sonsini team representing plaintiff Guardian Innovative Solutions (GIS) recently obtained a jury trial victory against Guardian Protection Products in a case involving dueling allegations of breaches of contract, tortious interference, and various statutory violations relating to the parties' decades-long distribution relationship. On December 10, 2021, a jury in federal district court in Fresno, California, found Guardian liable to GIS for wrongfully terminating GIS's business and stealing it for itself, and rejected Guardian's claims that GIS's breaches of noncompete obligations excused Guardian's misconduct.

The victory is a culmination of several years of effort, including a first trial that was undermined by faulty pretrial rulings, a successful Ninth Circuit appeal of those rulings, COVID delays, and the recent hard-fought jury trial. The team secured a \$6 million verdict and will be seeking prevailing party attorney fees.