

# Daily Journal

MAY 9, 2012

## TOP WOMEN LAWYERS



**KAREN SILVERMAN**  
Latham & Watkins LLP  
San Francisco

**Practice type:** Litigation and regulatory  
**Specialty:** Antitrust

As the economy continues on its upward trajectory, antitrust maven Silverman has been getting busier and busier advising major companies in high-stakes matters. On top of that, she was named the managing partner of the firm's San Francisco office this year.

"In the last 12 months, there's been a substantial uptick in merger activity, which has led to more antitrust activity, and the deals are interesting and always reflect ... something that's going on in the broader economy," she said.

Silverman advises on mergers, counsels companies on antitrust issues arising from distribution and licensing, helps them deal with government investigations into potential price-fixing and represents clients in antitrust-related litigation.

She advises technology companies such as Oracle Corp. in antitrust issues, guiding Oracle this past year in a slew of acquisitions, including Rightnow Technologies Inc. for \$1.5 billion. She has also recently represented Electronic Arts Inc. in its \$1.3 billion purchase of PopCap Games Inc. and Mattell Inc. in its \$680 million deal to buy Hit Entertainment.

Silverman also sealed a major victory for client Ovation Pharmaceuticals in a closely watched case in which the Federal Trade Commission accused the company of monopolizing the market for drugs that treat a rare pediatric heart disorder. The company, now called Lundbeck Inc., owned one drug to treat the disorder and purchased the rights to another drug designed to treat that same disorder. The FTC and the state of Minnesota sued, challenging the pricing of the drugs, and Silverman and her team argued that the federal government had failed to identify a relevant antitrust market, meaning there was no economic competition between the two drugs. A Minnesota district court judge agreed and ruled against the government. In August, the 8th U.S. Circuit Court of Appeals upheld the ruling, and the case finally came to a close when the government announced it would not appeal further.

The ruling "absolutely re-established that it's the government's burden," Silverman said, "to define the antitrust market when bringing a challenge."

— Fiona Smith