

Rising Star: Kecker Van Nest's Ajay Krishnan

Law360 (August 20, 2018, 2:01 PM EDT) -- Kecker Van Nest & Peters LLP partner Ajay Krishnan has secured numerous victories on behalf of his technology clients over his career, including a win for Arista Networks Inc. in a \$335 million copyright and patent infringement suit over networking technology, landing him a spot as one of six intellectual property lawyers honored by Law360 as Rising Stars.

HIS BIGGEST CASE:

In December 2016, a California federal jury handed Arista Networks Inc. a victory in Cisco Systems Inc.'s \$335 million suit alleging Arista infringed its copyrights and a patent by using the technology company's command-line interface to develop its popular Ethernet switches.

This was a huge case in the networking industry, Krishnan said, because a lot of people were using and had been encouraged to use the command-line interface, and might have had to potentially learn new commands to operate networks.

Krishnan led Arista's defense for the patent side of the case and took charge in developing the patent strategy and handling the expert depositions, as well as presenting and cross-examining the expert witnesses at trial.

"I was responsible for the patent side of the case, which was great, and very satisfying when we won in the end," he said.

HIS PROUDEST MOMENT:

Krishnan said his proudest moment as an attorney was when he secured a summary judgment victory in a First Amendment lawsuit challenging the Golden Gate Bridge's policy of preventing people from protesting at the bridge with

RISING
 ★★★★★
STAR



Ajay Krishnan
Keker Van Nest

Age: 40

Home base: San Francisco

Position: Partner

Law school: Harvard Law School

First job after law school: Law clerk at the Ninth Circuit

signs without obtaining a permit first.

It was a “long fought” battle, he said, but the bridge changed the policy after a California federal court found the policy unconstitutional in 2011. Krishnan said that he is very interested in civil rights and civil liberties — before joining Keker, he worked as an attorney for the American Civil Liberties Union of Northern California — and that he loves litigating First Amendment issues.

“I feel strongly about the First Amendment, so I got to work on an issue that I really felt passionately about, and loved, and it had a real world impact on a significant, iconic place in San Francisco,” Krishnan said.

WHAT MOTIVATES HIM:

In late December, Krishnan was able to convince a California district judge to toss a case against his client Shanghai Moonton Technology Co., after Riot Games Inc. accused the Chinese video game maker of copying its popular League of Legends game.

Krishnan had argued that Riot should be required to pursue its claims against Moonton in China, as the lawsuit was connected with a pending case in China filed by Riot’s parent company, Tencent Holdings Ltd., and the judge agreed.

Krishnan said that one of the things he enjoys about litigating cases is developing the strategy for winning the case, which he said involves reading a lot of documents on the computer and thinking about the law by himself “while no one else is watching.” Later, turning his strategy into something persuasive that moves the court is also “hugely satisfying” to him, he added.

“Those two pieces of litigation really move me,” he said.

HOW THE INDUSTRY WILL CHANGE IN THE NEXT 10 YEARS:

Krishnan said that while it is hard to predict how technology will change and grow in the next decade, he has noticed that the increase in engineers and other tech workers has made trade secrets law more significant, and a “very active” area of law at the moment.

“There are so many unpredictable aspects of technology, and I’m very excited to see how it plays out and how older legal concepts apply to new cutting-edge ideas and technology,” Krishnan said.

— As told to Tiffany Hu

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2018 Rising Stars winners after reviewing more than 1,200 submissions. This interview has been edited and condensed.