

2023 RISING STAR

Brandon Brown



Brandon H. Brown of Kirkland & Ellis LLP has led numerous technology makers through high-stakes litigation over their closely guarded intellectual property, including helping electronics maker Motorola nab a nine-figure jury award in a trade secret suit against a competitor, earning him a spot among the IP practitioners under age 40 honored by Law360 as Rising Stars.

His biggest case:

Brown and a team at Kirkland helped Motorola Solutions LLC score a \$764 million jury win in March 2020 in a suit against Chinese radio maker Hytera Corp. over misappropriated trade secrets used to create a competing digital two-way radio. An Illinois federal judge later shaved off about \$200 million from that nine-figure award due to partial double recovery.

The team analyzed millions of lines of source code as well as a deluge of documents written in Mandarin, nabbing over \$34 million worth of attorney fees in October 2021 for their work. Brown told Law360 it was one of the “biggest cases of my career.”

“Between the language barrier, the international aspects of it, and frankly, some significant obfuscation ... it took us a long time to piece

together exactly what had happened and exactly what was stolen,” the IP pro detailed, adding that he and his colleagues invested a lot of time into building their client’s case.

“You have to put aside aspects of your own life to make sure that you can be the best for your client,” he said. “So there were a lot of sleepless nights ... trips to Hong Kong to depose somebody and flying right back to go to a hearing in Chicago, and a lot of sacrifices that the team had to make sure we could uncover this.”

What motivates him:

For Brown, what really motivates him is “finding the truth.” The Kirkland & Ellis partner — who earned a bachelor’s degree in computer science and criminal justice from Boston University in 2006 — told Law360 that he really

loves “sleuthing through” puzzle pieces of a case like documents and testimony to figure out “what really happened.”

“The teams that I work with and my top lieutenants are, I think, a huge part of my success.”

“If I sniff out that a witness is being dishonest when I’m [cross-examining] them or deposing them, I really like to correct that because I think — particularly in high-tech spaces — there’s a lot of people who can get away with techno-babble and win cases because they don’t have an

attorney on the other side that can take that apart and explain to the jury what just happened,” Brown explained.

His proudest moment:

Brown told Law360 that “one of the real special treats of practicing law at this level is the resources we are able to leverage for pro bono work.” He said he’ll never forget moments such as when he helped a mother who was fleeing cartel violence in Mexico with her children earn asylum in the U.S.

“That’s probably one of my proudest moments,” Brown said. “It just feels great to be able to leverage what I learned in all these other spaces to help people.”

Why he’s an IP attorney:

While some attorneys unexpectedly enter their practice areas, Brown told Law360 he intentionally went into the IP legal space. After being exposed to certain undergraduate

classes where technology and law intersected, he found he wanted to “challenge” himself and “be somebody who can bridge the gap between those two worlds.”

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“I had the impression that the courts and the juries weren’t getting the right information ... they were being misled, sometimes, about how technology worked,” Brown said, adding that his clients have “expressed great confidence” in having someone on their legal teams with his type of technological expertise.

He went on to attribute part of his success to “some incredible mentors at Kirkland and elsewhere,” stressing that they’ve greatly benefited his career and that he now has a passion for mentoring others.

“I think, sometimes, folks who are lead counsel forget that while they bear the burdens of shouldering the responsibility, it’s really the amazing people that we work with that are why we win cases, and it’s certainly the case for me,” Brown said. “The teams that I work with and my top lieutenants are, I think, a huge part of my success.”

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