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TWENTY UNDER 40

When David Kramer joined Wilson Sonsini Goodrich & Rosati in 1996, he had little experience with Internet law.

He wasn't alone.

"It's not as if there is 50 to 100 years of precedent to guide you. Internet jurisprudence goes back, at best, 10 years," he says. "We are feeling our way in this area."

Now an expert in the field, Kramer has won two significant victories for Google Inc. during the past year and is co-counsel in the company's high-profile legal battle with Viacom.

The challenge of the job, he says, is in dealing with novel legal theories.

"Most attorneys get to make law infrequently," says Kramer, a partner with Wilson Sonsini in Palo Alto. "We get to do it in virtually every case."

For that reason, Kramer says, advising clients about the strength of their legal position is not always easy.

"It really tests your prognostication skills," he says.

Kramer persuaded a Delaware federal judge to reject a lawsuit filed by a man who wanted to advertise Web sites that allege wrongdoing by North Carolina government officials and the Chinese government. Kramer represented Google in the case, which also named Yahoo Inc. and Microsoft Corp. as defendants.

U.S. District Judge Joseph Farnan of Delaware ruled last February that Google could reject any advertisement it chose,



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dismissing the plaintiff's constitutional claims. If the ruling is upheld, it would give search engines the same status as newspapers, which have had the right to reject advertisements since the 1970s. The judge indicated that search engines' decisions to reject advertisements are protected under federal law.

A month later, Kramer scored another legal victory when San Jose federal Judge Jeremy Fogel dismissed a lawsuit by a parenting Web site that claimed Google violated its free-speech rights and antitrust law by dropping the company's name from its search engine.

"You're always happy for the opportu-

nity to break new ground and validate your client's policies and procedures," he says.

In addition to his work for Google, which continues in Viacom's copyright-infringement lawsuit against subsidiary YouTube, Kramer represented RealNetworks, getting a preliminary injunction protecting the company's technology in the first-ever case brought under anti-circumvention provisions of the Digital Millennium Copyright Act. He also de-fended Acxiom Corp. against a class action alleging violations of the Electronic Communications Privacy Act and related state-law claims, winning a dismissal of the case.

"He is wise beyond his years," says Robert Feldman, who worked with Kramer at Wilson Sonsini before leaving late last year for Quinn Emanuel Urquhart Oliver & Hedges. "He is creative, determined and devoted to his clients."

A graduate of Georgetown University Law Center, Kramer came to Wilson Sonsini in 1996 from Brown & Bain.

At the time, he had "no relevant Internet experience" and figured things out as he went. Attorneys say Kramer, who turns 40 this month, has learned well.

— Craig Anderson

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