



## Koren W. Wong-Ervin

Partner

Washington, DC

TEL 202.469.3513

kwongervin@axinn.com

### PRACTICE AREAS

Antitrust

### EDUCATION

JD, magna cum laude – University of California, Hastings College of Law (1999)

BS, magna cum laude – Santa Clara University (1996)

### ADMISSIONS

District of Columbia

California

### PROFILE

Koren Wong-Ervin is a recognized thought leader and has testified before Congress on domestic and international antitrust issues. She has more than seventeen years of experience, including representing defendants and plaintiffs in high-stakes litigations and representing technology companies in domestic and foreign investigations. Koren previously served at the Federal Trade Commission as an Attorney Advisor to Commissioner Joshua Wright and Counsel for Intellectual Property and International Antitrust.

Koren's scholarship has been cited by courts and the Department of Justice. She has authored over sixty articles, including on vertical mergers and restraints, acquisitions of potential competitors, consummated mergers, multisided platforms, the intersection of antitrust and intellectual property, incremental innovations or “product hopping,” optimal penalties, extraterritoriality, methodologies for calculating patent infringement damages, and international due process and convergence. Koren has also trained approximately 500 foreign judges and competition enforcers on antitrust law and economics, and spoken at over 150 domestic and international events.

### PROFESSIONAL ACTIVITIES

- Leadership, ABA Antitrust Law Section (2009-Present): Council (2021-Present); Co-Chair Competition/Consumer Protection Policy and North American Comments Task Force (2019-2021); Member, Due Process Task Force (2018-2019); Member, International Task Force (2016-2019); Co-Chair, Antitrust in Asia Conference (2015-2016); Vice Chair, Intellectual Property Committee (2012-2015); Editorial Board, ANTITRUST LAW DEVELOPMENTS 7TH (two-volume treatise)

(2009-2012)

- USG Non-Government Advisor, International Competition Network (2017-Present)
- Committee Member, Business at OECD (2017-Present)
- Advisory Board Member, Fordham University School of Law Competition Law Institute (2019-Present)
- Co-Editor, LEXIS-NEXIS Antitrust Report Publication (2020-Present)
- Contributing Editor, The Sedona Conference's Framework for Analysis of Standard-Essential Patents and FRAND Licensing and Royalty Issues (2014-2020)

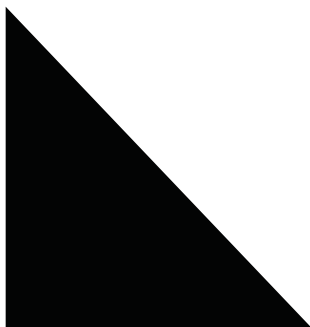
## EXPERIENCE

### Litigation

- Representing Google in various litigations and investigations of its business practices in the United States and other jurisdictions
- Represented Qualcomm in the \$1 billion Apple v. Qualcomm antitrust litigation involving allegations of unlawful tying, refusals to license, and exclusive dealing.
- Represented a major standard-essential patent holder in a multistate antitrust class action alleging unlawful tying, refusals to license, and exclusive dealing.
- Represented a major standard-essential patent holder in connection with its intervention in the UK Supreme Court appeals in Unwired Planet v. Huawei and Conversant v. Huawei & ZTE, addressing issues such as global versus country-by-country licensing and the meaning of the "nondiscriminatory" prong of the FRAND commitment.
- Represented plaintiff-classes in the Sirius XM multistate antitrust class action and in numerous price-fixing cases.
- Represented 3M in the landmark LePage's v. 3M bundled-rebates appeals and follow-on class actions.
- Represented Visa in the then-largest antitrust class action in U.S. history, In re Visa Check/MasterMoney.

### Investigations

- Represented a major chipset maker in investigations and subsequent court appeals in cases brought by the European Commission involving loyalty-discounts and predatory pricing allegations.
- Represented a major standard-essential patent holder in the Korean



court appeals of an investigation brought by the Korea Fair Trade Commission involving allegations of unlawful tying and bundling and refusals to deal.

- Represented Google in the U.S. Federal Trade Commission's online-search investigation.

## **Transactional**

- Defended Qualcomm against Broadcom's hostile takeover attempt.
- Represented technology companies in a number of merger investigations before the Department of Justice and Federal Trade Commission.

\*Includes matters handled prior to joining Axinn

## **HONORS**

- Concurrences Writing Awards, Winner (2019)
- GCR Academic Excellence Award, Winner (2016)
- Recognized as one of GCR's Women in Antitrust (2016, 2021)
- Women AT 40 in their 40s Notable Women Competition Professionals in Europe, the Americas and Africa
- Concurrences Writing Awards, Nominee for 3 articles (2021)
- GCR Corporate Counsel of the Year Award, Nominee (2020)
- Concurrences Writing Awards, Nominee (2020)
- Concurrences Writing Awards, Nominee for 3 articles (2018)
- Concurrences Writing Awards, Nominee (2017)
- Concurrences Writing Awards, Nominee (2016)
- Concurrences Writing Awards, Nominee (2015)
- Federal Trade Commission, Award for Meritorious Service (2015)

