

## Rising Star: Latham's Britt Lovejoy

By **Steven Lerner**

*Law360 (August 2, 2023, 1:50 PM EDT)* -- Britt Lovejoy of Latham & Watkins LLP helped secure a victory for Oracle Corp. in a copyright dispute against Hewlett Packard Enterprise Co., and helped reach a settlement on behalf of Spotify in a high-profile royalty dispute, earning a spot among the technology law practitioners under age 40 honored by Law360 Rising Stars.

### *The biggest case she's work on:*

While several recent cases come to mind, including Lovejoy's work representing Spotify in a royalty rate-setting proceeding and her current representation of Meta in a copyright case related to music on its platforms, she said that securing a jury trial win for Oracle in 2022 was a real high point in her career.

Oracle sued HPE in 2016, alleging it offered software updates that ripped off its copyrights. In June 2022, Oracle was awarded damages of \$30 million for infringement.

Lovejoy had represented Oracle in the case since she was a junior associate, and she eventually argued evidentiary issues at trial.

"Finally seeing the case to trial and having the opportunity to play a lead role in the courtroom was really meaningful," she said.

In particular, Lovejoy enjoyed taking the direct examinations of forensic and industry experts.

"I loved working with our experts to explain the technology at issue to the jury, as well as the complex forensic evidence that supported our infringement claims," she said. "Before I was a lawyer I was a teacher, and so I really relish the challenge of figuring out how to break down highly technical concepts for a jury."

### *What motivates her:*

Lovejoy said she is motivated by the team she works with.

2023

 **LAW360**  
**RISING  
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**Britt Lovejoy**  
Latham & Watkins

**Age:** 37

**Home base:** San Francisco

**Position:** Partner

**Law school:** University of California, Berkeley School of Law

**First job after law school:**  
Associate at Latham & Watkins

"When I say 'team,' that includes the incredible associates and staff that work on the case, my partners and the in-house attorneys I'm in touch with every day in order to develop a matter," she said.

Lovejoy added that litigation, especially trial work, is similar to a team sport, because winning requires every person on the team to bring their A game.

***Other key cases she's worked on:***

Lovejoy has also represented clients in rate-setting proceedings before the Copyright Royalty Board, which determines the royalty rates that streaming platforms pay for the rights to play music over the internet.

In 2022, Lovejoy was the lead associate representing Spotify in its dispute with the CRB regarding royalty rates paid by music streaming platforms to music publishers and songwriters. During the pandemic, she was part of the Latham team representing the National Association of Broadcasters in a separate virtual trial before the board.

Lovejoy is an antitrust lawyer by training who grew up as an attorney in Latham's antitrust and competition group before the firm's copyright practice really took off.

"I love how CRB cases give me a chance to leverage my antitrust experience in a unique context and forum," she said.

***Why she's a copyright attorney:***

Lovejoy finds copyright to be a rich area of the law and intellectually exciting.

The practice area is at once statutory, driven by case law, and regulatory, especially in the music industry, according to her.

"Because companies and people are constantly developing new ways to create, use and share content, copyright law presents ever-new opportunities to grapple with cutting-edge technology," Lovejoy said.

***An interesting case she's working on:***

Lovejoy is currently representing the online art community DeviantArt as a co-defendant in a putative class action alleging copyright violations related to its product, DreamUp. The tool is based on Stable Diffusion, a generative artificial intelligence model capable of producing visual art based on user prompts.

Since generative AI is a new technology, Lovejoy said that there is no precedent for how copyright principles apply to it.

"This litigation is one of only a few recently filed cases related to generative AI, and so it is incredibly thrilling to work at the forefront of the law," she said.

— As told to Steven Lerner. Editing by Adam LoBelia.

*Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2023 Rising Stars winners after reviewing more than 1,350 submissions. Attorneys had to be under 40 as of May 1, 2023, to be eligible for this year's award. This interview has been edited and condensed. All Content © 2003-2023, Portfolio Media, Inc.*