



## Susan A. Creighton

**Partner**

*Antitrust  
Consumer Regulatory & Privacy  
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### EXPERIENCE:

Susan Creighton is a partner at Wilson Sonsini Goodrich & Rosati, where she serves as co-chair of the firm's antitrust practice. Her practice focuses on merger and acquisition reviews by antitrust enforcers, government non-merger investigations, and antitrust counseling and litigation. Susan is a former member of the firm's board of directors, and currently serves on the Policy Committee and the Compensation Committee.

From 2001 through 2005, Susan served at the Federal Trade Commission, including two and a half years as director of the Bureau of Competition. As director, Susan oversaw all of the bureau's enforcement efforts, including merger review, litigation, and policy development. During her tenure, the bureau brought numerous merger challenges, including both consummated mergers and transactions subject to HSR review. She also oversaw many non-merger enforcement actions, and played a significant role in the FTC's amicus briefs and merger review reform initiatives.

Before joining the FTC, Susan was a partner in the firm's Palo Alto office, where she represented numerous high technology companies in antitrust counseling and litigation. She represented Netscape in the government's investigation of Microsoft, and successfully defended a medical device manufacturer at trial against FTC charges of illegal monopolization based on patent misuse.

Prior to joining the firm, she was a law clerk to Justice Sandra Day O'Connor and to Judge Pamela Ann Rymer.

### EDUCATION:

- J.D., Stanford Law School, 1984  
*Order of the Coif*
- A.B., Harvard University, 1981  
*Magna Cum Laude, Phi Beta Kappa*

### HONORS:

- Recognized as a 2009 "Top Lawyer" for antitrust by *Washingtonian* magazine
- Selected for inclusion in *The International Who's Who of Competition Lawyers & Economists 2008*
- Named in the 2007, 2008, and 2009 editions of *Chambers USA: America's Leading Lawyers for Business*

### SELECT PUBLICATIONS:

- Co-author with S. Sher, "Resolving Patent Disputes through Merger: A Comparison of Three Potential Approaches," 75(3) *Antitrust Law Journal* 657-690, 2009
- Co-author with T. Krattenmaker, "Appropriate Role(s) for Section 5," *The Antitrust Source*, February 2009
- Co-author with J. Jacobson, "Bundled Pricing and Antitrust," 2007 ABA Section of Antitrust Law Fall Forum, November 15, 2007
- Co-author with S. Sher, "Resolving Patent Disputes Through Merger: An Analytical Approach," LSI Technology M&A Conference,

September 2007

- "Patent Settlements and Standard-Setting: No Legal Consensus in Sight," PLI 12th Annual Institute on Intellectual Property Law, October 5, 2006
- "New Evidentiary Burdens in Mergers: The View from the U.S.," GMU Law Review Antitrust Symposium, September 13, 2006
- Co-author with B. Hoffman, T. Krattenmaker, and E. Negata, "Cheap Exclusion," *72 Antitrust Law Journal* 975-995, 2005

#### SELECT SPEAKING ENGAGEMENTS:

- "Standard Setting and 'Patent Ambush': Lessons from the Federal Circuit's Recent *Qualcomm v. Broadcom* Decision," Practising Law Institute webcast, March 2009
- "The Substantive Scope of Section 5 of the FTC Act," ABA Section of Antitrust Law Fall Forum, November 2008
- "Section 5 of the FTC Act," Federal Trade Commission workshop, October 2008
- "The Increasing Role of Antitrust Principles in Defining Patent Rights," IPO Conference, June 2008
- "Antitrust for the Web-based Economy," Newport Summit on Antitrust Law and Economics, May 2008
- "Successfully Defending Pharmaceutical Antitrust Suits: Focus on Class Actions and Other Antitrust Litigation," ACI Pharmaceutical Antitrust Conference, May 2008
- "Unilateral Effects Analysis and Litigation," Federal Trade Commission workshop, February 2008
- "Monopolization and Dominance: Legal Standards for Single-Firm Conduct," ABA Section of Antitrust Law Fall Forum, November 2007
- "Industry and Regulatory Update," Via Licensing Summit, October 2007
- "Antitrust Issues," LSI Technology M&A Conference, September 2007
- "Patent Reform: Judicial, Legislative, and Administrative Responses to Fundamental Questions," ABA Sections of Antitrust and Intellectual Property Law, Intellectual Property/Antitrust Conference, June 2007
- "Avoiding Antitrust Dilemmas in Mergers and Acquisitions," ACI Conference on Pharmaceutical Antitrust, May 2007
- "Final Session: Single-Firm Conduct and Antitrust Law," DOJ/FTC Section 2 Hearings, May 8, 2007
- "Intellectual Property and the Antitrust Review of Mergers and Acquisitions," ABA Section of Antitrust Spring Meeting, April 2007
- "Noerr-Pennington, Patents and Standard-Setting," ABA Section of Antitrust Seminar, December 2006
- "Misleading and Deceptive Conduct," DOJ/FTC Section 2 Hearings, December 6, 2006
- "Managing Global Practices: FCPA, Codes of Conduct and Compliance," The Economist's Fourth General Counsel Roundtable, November 2006
- "New Evidentiary Hurdles for Merging Parties and Government Regulators," George Mason Law Review Antitrust Symposium, September 2006
- "Current State of Economics Underlying Section 2," ABA Section of Antitrust Brown Bag Seminar, July 2006
- "The Growing Interplay of Patent and Competition Law," PLI 12th Annual Institute on Intellectual Property Law, September 21 and October 5, 2006

#### ADMISSIONS:

- Bar of the District of Columbia
- State Bar of California

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