

Lawrence R. Sommerfeld

Partner

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Lawrence (Larry) Sommerfeld is a partner on Alston & Bird's Privacy & Data Security and Cybersecurity Preparedness & Response teams. As an assistant U.S. attorney, he led the Computer Crime and Intellectual Property Unit and investigated and prosecuted the leaders of one of the most sophisticated and coordinated cyber intrusions ever perpetrated. Larry was invited to join the Department of Justice's Computer Hacking and Intellectual Property Working Group, where he advised the DOJ on developing technology and intellectual property issues, and potential legislation.

Larry was appointed chief of the U.S. Attorney's Office's Appeals and Legal Advice Section and was invited to serve on the Attorney General's Advisory Committee's Appellate Chiefs Working Group, where he advised U.S. attorneys and consulted with the Office of the Solicitor General about the position of the United States on the latest and most pressing legal issues.

Before joining the U.S. Attorney's Office, Larry practiced in Silicon Valley, where he counseled startup companies and institutional clients on their intellectual property rights and protections. Larry has litigated for Fortune 500 companies and has considerable trial experience, focusing on some of the most complex trials, including defending at trial bet-the-company patent litigation against a Fortune 100 plaintiff corporation. At the U.S. Attorney's Office, Larry tried complex cases with subjects as diverse as Internet pharmacies and the murder-for-hire of a public official.

Representative Experience

- Lead prosecutor in a case that dismantled one of the world's leading cybercrime rings, which was responsible for the withdrawal within 12 hours of \$9.4 million from more than 2,100 ATM terminals in at least 280 cities worldwide.
- Coordinated with the FBI a major international cybercrime investigation involving cooperation from more than a dozen countries.
- Led the investigation of one of the largest credit card frauds ever perpetrated in Atlanta, which was responsible for millions of dollars of fraud against credit cards and private businesses. Defended the jury verdict on appeal, including arguing the case before the Eleventh Circuit, securing a published affirmance.
- Part of the trial team that convicted two murderers who assassinated the DeKalb County sheriff-elect on the orders of the outgoing sheriff. Argued the appeal before the Eleventh Circuit, securing affirmance less than a week after oral argument.
- Investigated and prosecuted the owners and operators of a major Internet pharmacy operation that illegally distributed large quantities of controlled substances and prescription drugs across the country, sight unseen, in the first Internet pharmacy case in the Northern District of Georgia.

- Investigated and prosecuted a former employee of a major cable and telecommunications company for hacking into the backbone of an Internet and telecommunications system, causing substantial disruption including unavailability of 9-1-1 emergency services.
- Prosecuted the first federal trafficking-in-illicit-labels case regarding the manufacture and distribution of counterfeit certificate-of-authenticity software labels. Defended the conviction on appeal, resulting in a published decision protecting the new statute against claims under the first-sale doctrine.
- Defended a Fortune 500 company at trial against bet-the-company patent infringement claims, resulting in a full defense verdict and sanctions against the plaintiff Fortune 100 company.

Publications & Presentations

Publications

- “Carpenter Ruling May Be Turning Point In Digital Data Privacy,” *Law360*, August 8, 2018.

Professional & Community Engagement

- American Bar Association
- Lamar Inn of Court, master
- Eleventh Circuit Historical Society
- Eleventh Circuit Appellate Practice Institute (ECAPI), co-chair (2016)
- State Bar of Georgia, Appellate Practice Section, Federal Practice Committee, co-chair
- State Bar of Georgia, Criminal Law Section
- State Bar of Georgia, Privacy & Technology Section
- The Temple, leadership cohort (2017–2018)
- National Advocacy Center, faculty member, criminal trial advocacy, appellate advocacy, and effective appellate brief writing courses, computer hacking and intellectual property conference

Education

- University of Virginia (J.D., 1994)
- Massachusetts Institute of Technology (B.S., 1990)

Admitted to Practice

- Georgia
- New York
- California

Related Services

Privacy & Data Security | Cybersecurity Preparedness & Response | White Collar, Government & Internal Investigations | Payment Systems | Privacy & Cybersecurity Litigation | National Security & Digital Crimes | State Attorneys General Practice Team | Litigation | Intellectual Property | Intellectual Property Litigation | Appellate | Technology & Telecommunications Litigation