



## → Craig Cardon

### Partner

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Craig Cardon sits on Sheppard Mullin's Executive Committee and is the founder and Co-team leader of the Privacy and Cybersecurity team. He also serves as the International Liaison for the firm's China offices.

### Areas of Practice

Mr. Cardon is scheduled breach response counsel for numerous public and private companies including many of the largest retailers in the world. He was named by law 360 as one of its four national privacy and data security MVPs in 2014, and was named to cyber security docket's incident response 30 list in 2015, as one of the top reach/incident response professionals in the country. Craig has represented dozens of companies in connection with data security intrusions, and the response to the same, including in multistate class-action defense. His response work has spanned the globe, addressing security breaches on five continents. His work in the privacy area has also won him back to back honors as one of Law360's retail and e-commerce MVPs in 2015 and 2016 and has been named by the Los Angeles daily Journal as one of LA's most influential e-commerce executives.

Mr. Cardon provides regular advertising review for some of the largest retailers and consumer product manufacturers in the country. He regularly litigates false advertising and privacy class actions (including breach-related litigation), competitor comparison claims and trade secret claims. Mr. Cardon has defended numerous landmark privacy and advertising class actions, including defeating cases of first impression under California's Shine the Light law, Anti-SPAM law, the Club Card Act, gift card laws and Song-Beverly Credit Card Act. He has represented dozens of brands in cases around the country related to the collection of data and targeted advertising. He has defended FTC advertising enforcement actions through trial and regularly appears before the NAD (National Advertising Division).

Mr. Cardon and his team handle data transactions, ecommerce fulfillment deals, international brand licensing and distribution arrangements. He has particular expertise in assisting retailers and brands in establishing and managing retail and distribution relationships in China and elsewhere in Asia.

Outside of the advertising context he has advised the Japanese government on anti-counterfeiting legislation, represented the Motion Picture Association and advised film studios on the intellectual property implications of new technologies. Much of his practice is devoted to disputes over media content and media distribution technologies. His content litigation experience, in addition to state and federal court litigation, encompasses domestic and international arbitrations, including IFTA arbitrations. Mr. Cardon has created and overseen international anti-grey market and anti-counterfeiting programs for some of the world's largest consumer product manufacturers and best known fashion brands.

## Honors

Named Honoree, *Securities Docket: Incident Response 30*, 2016

Litigation Star, *Benchmark Litigation*, 2015-2018

Retail and E-Commerce, MVP, *Law360*, 2015, 2016

Media, Technology and Telecoms, *Legal 500*, 2010-2017

Best Lawyer in America, *Best Lawyers*, 2008-2018

Privacy, MVP, *Law360*, 2014

LA's Most Influential Digital Media and E-Commerce Lawyer, *Los Angeles Business Journal*, 2014

Emerging Law Firm Leaders in California, *Daily Journal*, 2013

20 To Watch Under 40, *Daily Journal*, January 31, 2007

## Experience

### Recent Reported Decisions

Harrod v. Levi Strauss & Co., 235 Cal.App.4th 385 (2015) – Lead counsel for iconic jeans brand defeating class certification in data collection class action.

Lewis v. Safeway, Inc., (A140943 Cal.App. 3-20-2015) – Lead counsel for national grocer in Song-Beverly data privacy class action relating to birthdates. Decision on appeal affirming dismissal with prejudice.

Avalos v. IAC, 2014 WL5493242 (SDNY 10-30-2014) – Lead counsel in \$1.5 billion class action alleging false advertising, right of publicity, Lanham Act, copyright and RICO violations. Decision dismissing all claims with prejudice.

Rosolowski v. People Media, B250482 (Cal.App. 10-29-2014) – Lead counsel for Match.com subsidiary in appeal affirming dismissal of claim under California Anti-SPAM law.

Rodman v. Safeway, Inc., 2014 U.S. Dist. LEXIS \_\_\_ – Lead counsel for national grocery retailer in denial of class certification on false advertising, unfair competition and CLRA claims.

Pineda v. Williams-Sonoma, 51 Cal.4th 524 (Cal. 2011) – Lead counsel for kitchenware retailer in privacy class action. California Supreme Court decision in part reversing appellate decision and in part letting stand appellate decision at 178 Cal.App.4th 714 (2009)

Pineda v. Williams-Sonoma, 178 Cal.App.4th 714 (2009) – Lead counsel for kitchenware retailer in privacy class action. Decision affirming judgment for retailer.

Powers v. Pottery Barn, 177 Cal.App.4th 1039 (2009) – Lead counsel for homewares retailer in privacy class action. Decision addressing CANSPAM preemption of state privacy laws.

Law v. Harvey, 2007 U.S. Dist. LEXIS 78398 – Lead counsel for producer of Burning Man festival in dispute over ownership of the Burning Man name and image.

Cadsoft Corp. v. Riverdeep, LLC, 2007 U.S. Dist. LEXIS 39559 – Lead counsel for software developer in copyright dispute with world's largest software publisher. Court found for developer that publisher had illegally assigned copyright license.

O.O.C. Apparel, Inc. v. Ross Stores, Inc., 2007 U.S. Dist. LEXIS 19490 – Lead counsel for national retailer in dispute over Sean John trademarks.

Digital Envoy v. Google, 370 F. Supp.2d 1025 (N.D. Cal 2005) – Counsel for geolocating technology provider in trade secret matter addressing Internet advertising practices.

## Media Mentions

Split 9th Circ. Nixes Bid For Williams-Sonoma Customer List  
*Law360*, 01.13.2020

5 Cybersecurity And Privacy Cases To Watch: Midyear Report  
*Law360*, 07.30.2018

Google Privacy Case To Test Limits Of Novel Settlements  
*Law360*, 04.30.2018

Retail Legislation And Regulation To Watch In 2017  
*Law360*, 01.02.2017

Retail MVP. Sheppard Mullin's Craig Cardon  
*Law360*, 12.20.2016

ZEAVION Holding's \$127.5 million acquisition of Gymboree Play & Music  
Don't Miss It: Hot Deals & Firms We're Following This Week  
*Law360*, 07.01.2016

Retail MVP. Sheppard Mullin's Craig Cardon  
*Law360*, 11.16.2015

## Events

Smart Retailing: Legal and Business Issues Regarding The Use Of Biometric and Behavioral Data In Real World Retail Environments  
RILA Retail Law Conference 2019  
October 16-18, 2019

The California Consumer Privacy Act: What It Means for Companies Doing Business in California  
TerraLex Webinar  
09.17.2019

Retail's Top 5 Legal Trends & Issues Webinar  
05.09.2019

California Consumer Privacy Act  
The Southern California Association of Corporate Counsel's In-House Counsel Conference  
01.31.2019

Omni Channel Dreams and Nightmares  
ANA/BAA Marketing Law Conference  
11.09.2018

Privacy. Security. Risk. 2016  
Presented by the IAPP Privacy Academy and CSA Congress  
San Jose, CA, 09.2016

Retail's Tectonic Digital Disruption: What Every Retailer Needs to Know to Survive and Compete  
Sheppard Mullin New York, 06.15.2016

CYBERSECURITY: What Every Lawyer Needs to Know to Protect Their Firms and Clients  
10.16.2015

## Practices

Privacy and Cybersecurity  
Entertainment and Digital Media  
Intellectual Property  
Copyrights  
False Advertising, Lanham Act and Unfair Competition  
IP Licensing, Technology and Commercial Transactions  
International Reach  
China  
Japan  
Latin America  
Litigation  
Technology Transactions  
White Collar Defense and Corporate Investigations  
Advertising  
California Consumer Privacy Act

## Industries

Advertising  
Communications  
Entertainment and Digital Media  
Esports & Games

Fashion, Apparel and Beauty

Food and Beverage

Retail

Sports

## Education

J.D., Loyola Marymount University, 1993

B.A., University of California, Los Angeles, 1989

## Admissions

California

Colorado

U.S. Court of Appeals for the Ninth Circuit

U.S. District Courts, District of Colorado and the Northern, Eastern, Southern and Central Districts of California

## Additional Office

San Francisco

## Languages

Spanish