



## → Craig Cardon

### Partner

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Craig Cardon sits on Sheppard Mullin's Executive Committee and serves as Leader of the Privacy and Cybersecurity Team. He also serves as the International Liaison for the firm's China offices.

### Areas of Practice

Craig enjoys a broad advertising, data privacy and ecommerce focused practice. He primarily represents brands, retailers, ad agencies, ad networks, technology platforms and other business involved in advertising, marketing and the data associated with it.

Craig 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. Craig 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).

Craig 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. Craig 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

Client Service All-Star, *BTI Consulting*, 2020

Future Star, *Benchmark Litigation*, 2019-2021

Top Cyber/Artificial Intelligence Lawyers, *Daily Journal*, 2018, 2019

Leading Lawyer in America, *Lawdragon 500*, 2018

Incident Response 30, *Cybersecurity Docket*, 2016

Litigation Star, *Benchmark Litigation*, 2015-2018

Retail and E-Commerce, MVP, *Law360*, 2015, 2016, 2017, 2018

Cyber Law, *Legal 500*, 2010-2017, 2019-2021

Best Lawyer in America, *Best Lawyers*, 2008-2022

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

Harrold 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.

## Articles

### Eye on Privacy Blog Posts

- "The CCPA Wheels Keep Turning: The Addition of CPRA," November 5, 2020
- "CCPA Regulations Finally Approved, Effective Immediately," August 18, 2020
- "What Will Come First: Pending CCPA Amendment Could Clarify Key Exemptions," August 7, 2020
- "CJEU Invalidates Privacy Shield, But Upholds SCCs with Conditions," July 16, 2020
- "Final Draft CCPA Regulations Submitted, Effective Date Unclear," June 4, 2020
- "Turn On the Camera Part Three: Fulfilling CCPA Training Obligations in the Face of COVID-19," March 13, 2020
- "Turn on the Camera Part One: Keeping Your Privacy Compliant Efforts Moving Forward in the Face of COVID-19," March 11, 2020
- "Modifications Under CCPA To Receipt of Consumer Requests," October 3, 2019
- "What To Do About Employees Under CCPA: An Update," September 19, 2019
- "Like a Butterfly, Will the CCPA Continue to Evolve?" May 28, 2019
- "Ding Dong the CCPA Private Right of Action is (Mostly) Dead!," May 17, 2019
- "Will CCPA's Definition of Consumer Be Narrowed?" April 11, 2019
- "Year In Review: Eye on Privacy 2018," January 28, 2019
- "2019 is the Year of . . . CCPA?" January 8, 2019
- "The California Privacy Law Is Coming: What Should Your Company Do Now?" July 25, 2018

### Fashion and Apparel Law Blog Posts

- "Coronavirus And The Retail Industry: Pricing and Advertising Issues," March 5, 2020
- "Coronavirus And The Retail Industry: Delivery Issues," March 5, 2020
- "Coronavirus And The Retail Industry: Customer Interactions and Safety," March 3, 2020

## Media Mentions

US companies might handle China data privacy law well  
*Daily Journal*, 08.23.2021

Cybersecurity & Privacy Cases To Watch In 2021  
*Law360*, 01.03.2021

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

Hot Topics in Retail Advertising – Pricing and Environmental Claims  
Webinar, 04.28.2021

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

## Podcasts & Webinars

Hot Topics in Advertising – Pricing and Environmental Claims  
04.28.2021

## 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 (CCPA)  
ESG and Sustainability

## Industries

Advertising

Entertainment and Digital Media

ESG and Sustainability

Esports & Games

Fashion, Apparel and Beauty

Food and Beverage

Retail

Sports

Telecom

## Education

J.D., Loyola Marymount University, 1993

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

## Admissions

California

Colorado

U.S. Court for the Ninth Circuit

U.S. District Court, District of Colorado

U.S. District Court, Northern District of California

U.S. District Court, Eastern District of California

U.S. District Court, Central District of California

U.S. District Court, Southern District of California

## Additional Office

San Francisco

## Languages

Spanish