

Daily Journal

MAY 22, 2024

TOP INTELLECTUAL PROPERTY LAWYERS



Bartko LLP SAN FRANCISCO

Patrick M. Ryan

Patrick M. Ryan is the co-managing partner and head of litigation at the litigation boutique Bartko LLP. He heads the firm’s litigation, IP protection and anti-trust groups.

He’s been in practice for more than 24 years and with Bartko for a decade. At the University of Notre Dame Law School, he learned complex litigation from the inside

as a research assistant to the emeritus professor who authored the RICO statute, G. Robert Blakey.

“An amazing person,” Ryan said of Blakey. “He was a mob prosecutor with Bobby Kennedy at Justice. I was with him for two years, and the way he analyzed cases and statutes gave me tools I have used every day in my career. I was just emailing him the other day.”

In a major trade secrets win in 2019 — a Daily Journal Top Verdict — Ryan led the Bartko team that obtained an \$845 million jury award for a chip processing software client that accused a rival run by former employees of the theft of research and development material that helped it obtain a multimillion-dollar contract from one of the client’s largest customers. It was one of the largest trade secrets awards in U.S. legal history. *ASML US Inc. v. XTAL Inc.*, 16-cv-295051 (S. Clara Co. Super. Ct., filed May 11, 2016).

In 2023, Ryan obtained \$2 million in an anti-counterfeiting and trademark infringement case for client JUUL Labs Inc. against a network of counterfeiters in China with a substantial U.S. presence. He and his

Bartko team filed a complaint, then moved quickly to obtain a broad TRO and preliminary injunction that included a freeze and transfer to a secure account of \$2.8 million of the defendants’ assets. The court granted Ryan’s motion for summary judgment regarding infringement, awarded statutory damages, found the case exceptional and awarded \$800,000 in fees. *JUUL Labs Inc. v. Chou et al.*, 2:21-cv-03056 (C.D. Cal., filed April 8, 2021).

“This is a very organized counterfeiting group in China that ships gray market products into the U.S. with no regard for consumer safety,” Ryan said. “It was very gratifying to get a permanent injunction that shut down part of their operation.”

Ryan is headed toward trial next year on behalf of a graphic designer who is suing an online marketplace for allegedly having misappropriated a popular type font she created, in a case potentially worth millions of dollars. *Laatz et al. v. Zazzle Inc.*, 5:22-cv-04844 (N.D. Cal., filed Aug. 24, 2022).

“Initial discovery is confirming everything we thought about this case,” Ryan said.

— JOHN ROEMER

