



## Excylyn J. Hardin-Smith

Principal  
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### Overview

Excylyn Hardin-Smith helps clients resolve complex patent litigation and trade secret disputes. She brings meticulous organization and a calm-under-pressure approach to her matters, which span diverse technologies and industries ranging from financial services and software to health and life sciences innovations. Excylyn relishes the intellectual challenge of learning new technologies, and she takes pride in cultivating a deep understanding of her clients' industries and business needs in order to form robust litigation strategies.

Known as a dynamic presenter and a skilled case manager and strategist, Excylyn handles cases from earliest motions through trial. She has played a key role in many impactful litigation matters, advocating for her clients both inside and outside the courtroom. Her notable work includes assisting with *Mpay Inc. v. Erie Custom Computer Applications Inc., et al.*, a dispute in which Fish obtained a favorable summary judgment for several defendants after the plaintiff demanded \$280 million in damages. Following the win, Fish won the largest attorneys' fees award under the Copyright Act ever issued in the District of Minnesota.

Excylyn also has experience helping financial services clients navigate the intellectual property issues unique to their industry. She serves as a single point of contact to address any IP concerns her clients may have, from responding to litigation threats to connecting her clients with talented patent and trademark professionals who can effectively protect their IP.

In addition to her litigation work, Excylyn maintains an active pro bono practice that spans criminal justice, employment law, civil rights, voting rights, and women's rights. When she isn't practicing law, Excylyn enjoys international travel and amateur photography.

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### Recognitions & awards

Hot List

*Lawyers of Color* 2022

Pathfinder

*Leadership Council on Legal Diversity* 2022

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### Pro bono activities

Working pro bono alongside the ACLU, Fish represented a class of 12 peaceful protestors who were injured by police officers during the protests following the murder of George Floyd. The plaintiffs alleged that the Minneapolis Police Department used

unnecessary and excessive force to suppress their First Amendment rights to assemble peacefully and speak out against injustice. The matter resulted in a settlement that included a \$600,000 payment to the plaintiffs and numerous reforms for the MPD. These reforms prohibit the city from arresting, threatening to arrest, or using physical force against lawful protestors, limit the use of chemical agents to disperse protestors, and mandate the use of body cameras by police officers responding to protests.

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## Insights

Webinar | April 23, 2025

Trade Secrets: How to Protect IP You (Probably) Already Own

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## News

January 2, 2024

Fish & Richardson Elevates 20 Attorneys to Principal

January 24, 2023

Fish & Richardson Secures Summary Judgments and Recovers Attorneys' Fees in Copyright and Corporate Governance Dispute

January 17, 2023

Fish & Richardson Associate Excyllyn Hardin-Smith Named to the Lawyers of Color 2022 Hot List

November 30, 2022

Fish & Richardson and ACLU of Minnesota Secure Settlement for Protesters Injured by Police During Peaceful Protests Following the Murder of George Floyd

October 24, 2022

Fish & Richardson Recognized by Leadership Council for Legal Diversity as 2022 Top Performer and Compass Award Winner

February 23, 2022

Fish & Richardson Principal Jeffrey Mok Named a 2022 Leadership Council on Legal Diversity Fellow and Associates Excyllyn Hardin-Smith and Usman Khan Selected...

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## Events

February 23, 2023

National Bar Association Commercial Law Section's Corporate Counsel Conference

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## Services

Litigation

Patent Litigation

Trade Secret Litigation

## Industries

Software & Internet

Financial, Business & FinTech Services

Energy & Chemicals

Life Sciences

Medical Devices

## Admissions

New York

U.S. Court of Appeals for the Federal Circuit  
U.S. District Court for the Eastern District of New York  
U.S. District Court for the Southern District of New York

Education

J.D., Brooklyn Law School (2006)  
B.A., Political Science, Tufts University (2002)