





# Ryan Patrick O'Connor

## Principal

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## Overview

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### About Ryan

Ryan O'Connor is a principal in the Southern California office of Fish & Richardson P.C. For nearly a decade he has focused on litigating patent infringement disputes in industries such as pharmaceuticals, biotechnology, medical devices, and computer hardware/software. Mr. O'Connor's experience covers all aspects of pre-litigation diligence and litigation, including case assessment, electronic document collection and production, managing teams handling fact and expert discovery, settlement strategy, and trial work. While Mr. O'Connor focuses his practice in the U.S. district courts and has appeared in them across the country, he also works on U.S. International Trade Commission investigations and post-grant proceedings at the U.S. Patent and Trademark Office.

Prior to joining the firm, Mr. O'Connor investigated novel antibiotics as a biochemist at Replidyne, assisted pharma, biotech and medical device companies with product development as a regulatory consultant at CBR International, worked on manufacturing processes used to create x-ray film and various coatings as an engineer at Kodak and Valspar, respectively, and researched over-expression of recombinant DNA in E. coli at the University of Colorado.

### Focus Areas

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### Services

- Litigation
- Post-Grant

- Hatch-Waxman
- ITC Litigation
- Patent Litigation
- Trade Secret Litigation

## Industries

- Chemicals
- Electrical and Computer Technology
- Internet
- Life Sciences
- Medical Devices
- Software

## Education

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J.D., Franklin Pierce Law Center (2007)

LL.M., Intellectual Property, Franklin Pierce Law Center (2007)

B.S., Chemical Engineering, University of Colorado Boulder (2004)

B.A., Biochemistry, University of Colorado Boulder (2004)

## Experience

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### U.S. District Court Cases

*Alcatel-Lucent USA Inc. v. Amazon.com, Inc., et al.* (E.D. Tex.) (counsel for Amazon, Zappos, Sears, Kmart, Lands' End, and Netflix in multi-patent litigation involving various e-commerce related technologies)

*Allergan, Inc. v. Sandoz, Inc., et al.* (E.D. Tex.) (counsel for Allergan in patent litigation concerning ANDAs for Allergan's glaucoma drug Combigan)

*ARIES Associates v. L-3 Communications, Inc., et al.* (C.D. Cal.) (counsel for L-3 Communications in trade secret litigation involving decontamination technology for chemical and biological weapons)

*ASUSTeK Computer, Inc. and ASUS Computer International v. IBM* (N.D. Cal.) (counsel for ASUS in patent litigation concerning products implementing power supplies, variable speed fans, and Network Address Port Translation; successfully obtained stay of case after a year into litigation, and case subsequently settled favorably)

*Corning Inc. v. DSM Desotech, Inc.* (D. Del.) (counsel for Corning in litigation over fiber optic coatings)

*Function Media, L.L.C. v. Google, Inc., et al.* (E.D. Tex.) (counsel for Google in multi-patent litigation involving internet advertising technology; 4 parallel inter partes reexaminations)

*Geomembrane Technologies Inc v. R P S Engineering Corp et al*, (C.D. Cal.) (counsel for URS Corp. in patent litigation concerning clarifier covers for water treatment reservoirs)

*Gilead Sciences, Inc. v. AbbVie* (D. Del.) (counsel for Gilead in litigation over its hepatitis C treatment HARVONI®)

*GSK v Teva; GSK v Glenmark* (D. Del) (counsel for plaintiffs in patent litigation over heart-failure medication COREG®)

*Network Signatures, Inc. v. Nationwide Mutual Insurance Co.*, (C.D. Cal.) (counsel for Nationwide Mutual Insurance Co. in patent litigation concerning SSL technology)

*St. Jude Medical v. Volcano Corp.* (D. Del.) (defended Volcano against St. Jude's assertion of a patent related to cardiac guidewire consoles; case resulted in settlement favorable to client)

*Walker Digital, LLC v. Google, Inc. et al.* (D. Del.) (counsel for Microsoft in multi-patent litigation involving various internet advertising and automated bidding technologies)

*Warsaw Orthopedic, Inc. v. NuVasive, Inc.*, (S.D. Cal.) (counsel for NuVasive in patent litigation and parallel inter partes reexaminations concerning spinal implant technology)

## **U.S. International Trade Commission Proceedings**

*ASUSTeK Computer, Inc. and ASUS Computer International v. IBM* (337-TA-628) (counsel for ASUS in patent litigation concerning products implementing power supplies, variable speed fans, and Network Address Port Translation; win at trial and initial determination, Commission decided not to review initial determination which became the final determination, and case subsequently settled favorably.)

*DSM v. Momentive and OFS Fitel* (337-TA-1031) (counsel for Momentive in patent litigation

concerning coatings for optical fibers, coated optical fibers, and products containing same)

*Renesas Technology Corp. v. Samsung Electronics Co. Ltd., Dynamic Random Access Memory Devices and Products Containing Same* (337-TA-595) (counsel for Samsung in patent litigation concerning on-die termination and driver circuits for DDR2 SDRAM memory devices and phase-shift masks allegedly used in the fabrication of DDR1 and DDR2 SDRAM memory devices; Staff concurred with non-infringement and invalidity of asserted patents; settled favorably two days before the initial determination issued).

## Insights

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### **Publications**

Brief submitted on behalf of the Franklin Pierce Law Center Intellectual Property Amicus Clinic as Amicus Curiae in Support of Respondents in *KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. 398 (2007) (No. 04-1350) (contributor).

Research Tool Case Study: Sangamo and Zinc Finger Nuclease Technology.

### **Presentations**

“Ethics: Common and Emerging Challenges,” Fish CLE Event (January 24, 2018 – San Diego)

## Recognition

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Nominee, Top Young Attorneys, *San Diego Daily Transcript*, 2014