

## Ryan R. Smith

PARTNER

Litigation

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## FOCUS AREAS

Litigation

Patent Litigation

## HIGHLIGHTS

### ■ Patent Litigation Success

Ryan has litigated hundreds of patent infringement cases in federal courts throughout the country for both patent owners and defendants. From being lead trial counsel in jury trials to arguing before the Federal Circuit, Ryan has a proven record of delivering successful results to clients.

### ■ Strategic IP Advice

Ryan regularly assists companies in formulating and executing IP strategies, including facilitating patent sales, forming prosecution strategies, or advising on IP issues in the context of corporate transactions.

## EXPERIENCE

Ryan R. Smith is a partner in the patent litigation and trial practice at Wilson Sonsini Goodrich & Rosati. Ryan has served as lead counsel in prosecuting and defending patent infringement actions in federal courts throughout the country, including before the U.S. International Trade Commission. He has litigated hundreds of patent cases involving a broad spectrum of subject matters, including semiconductors, computer networking, consumer electronics, enterprise software, and financial technology. For example, Ryan served as lead trial counsel for a defendant in a high-stakes patent case in the Eastern District of Texas, obtaining a complete defense verdict on all four asserted patents.

Ryan has drafted and negotiated more than 100 patent license agreements in a variety of contexts, including settlement of litigation and as part of more extensive business deals. He also advises companies regarding the impact of patent litigation on various transactions, including IPOs, mergers, acquisitions, and asset purchases.

Ryan is an adjunct professor at Santa Clara University School of Law, where he teaches a course on intellectual property litigation.

## CREDENTIALS

### Education

- J.D., New York University School of Law, 2003
- B.S., Electrical Engineering, University of Washington, 2000  
*Magna Cum Laude*

### Admissions

- State Bar of California
- State Bar of Washington
- U.S. District Court for the Central District of California

- U.S. District Court for the Northern District of California
- U.S. District Court for the Southern District of California
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Western District of Texas
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. Patent and Trademark Office

## MATTERS

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### Representative Cases

- *CMS v. Thermal Shipping* – Lead counsel for Thermal Shipping in a case involving recyclable shipping insulation. In a ruling of first impression, the district court found that an on-sale bar invalidated CMS’s patent under the America Invents Act (AIA), resulting in a complete victory for Thermal Shipping.
- *Mantissa v. First Financial* – Lead counsel for First Financial in a fintech patent dispute. The district court found a key claim term indefinite and thus invalid. Ryan argued the motion before the district court and handled oral argument before the Federal Circuit. The decision was upheld on appeal.
- *VB Assets v. Amazon* – Trial counsel for the successor to VoiceBox, an early leader in speech recognition and natural language technologies. The jury returned a verdict against Amazon for willful infringement of all asserted patents and awarded VB Assets damages of \$46.7 million. *Law.com* named the case among its “Top 100 Verdicts for 2023.”
- *Epistar v. Lowes* – Trial counsel for LED pioneer Epistar against Lowes. The jury found infringement and awarded damages to our firm’s client.
- *Kenu v. Belkin* – Defended Belkin against allegations of patent infringement, trade dress infringement, and unfair competition. After prevailing on summary judgment of all but one claim, the case proceeded to a jury trial. Belkin was not found liable at trial.
- *Chrimar v. Aerohive* – Served as lead trial counsel and obtained a complete defense verdict of no infringement for defendant Aerohive in an action pending in the Eastern District of Texas.
- *Mantissa v. Ondot* – Served as lead counsel, obtaining summary judgment of invalidity based on patent ineligibility and successfully arguing for an affirmance before the Federal Circuit.
- *MicroStrategy v. Apttus* – Lead counsel for defendant MicroStrategy in a patent infringement action where the court granted the motion to dismiss all asserted patents for claiming unpatentable subject matter.
- *Garnet Digital v. NETGEAR* – Lead counsel for NETGEAR achieving a complete defense victory on grounds of non-infringement in an action pending in the Eastern District of Texas.
- *Digital Reg v. Symantec* – Prevailed on a motion to transfer the case from the Eastern District of Texas to the Northern District of California and subsequently prevailed on a motion for summary judgment of non-infringement as to the plaintiff’s primary infringement theories.
- *Cyberphone v. Groupon* – Obtained early summary judgment victory on behalf of Groupon for invalidity based on unpatentable subject matter. The Federal Circuit affirmed Groupon’s victory.
- *SanDisk v. STMicro* – Represented SanDisk in patent infringement and antitrust litigation. The case set the legal standard for declaratory judgment actions in patent cases. (480 F.3d 1372 (Fed. Cir. 2007)).
- *NETGEAR v. CSIRO* – Represented plaintiff in a declaratory judgment action pertaining to wireless networking. In a matter of first impression, the Federal Circuit agreed with NETGEAR regarding the “commercial activity” exception for foreign sovereign immunity. (455 F.3d 1364 (Fed. Cir. 2006)). The case settled during trial.
- *Protegrity v. Voltage* – Obtained key summary judgment victory on behalf of the defendant regarding lost profit damages. The case settled during trial.
- ITC Inv. Nos. 534, 560, and 613 – Represented SanDisk in several ITC investigations. Ryan played a significant role at the evidentiary hearings, including cross-examination of key technical witnesses.

## INSIGHTS

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### Select Speaking Engagements

- Presenter, “Cultivating Civility in Litigation & Deals,” Wilson Sonsini Client MCLE Day, March 2026
- Moderator, “Patent Transactions: Unlocking Value from Your Company’s Patent Portfolio,” Palo Alto, California, April 2025

- Speaker, "Thorny IP Issues That Can Potentially Derail M&A Deals: How to Timely Identify Them, What to Do If They Arise, and How to Keep Your C-Suite Happy in the Process," IP Symposium, Association of Corporate Counsel San Francisco Bay Area, September 2024
- "Managing the risk and financial impact of intellectual property litigation," Webinar, WTW, February 2024
- KnowIt Conference on IoT and Interoperability, May 2020
- Research Review Meeting at the University of Michigan, Mcity, November 2017