



**Ryan D. Levy**  
**Managing Shareholder**

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Ryan D. Levy is the managing shareholder at Patterson Intellectual Property Law and co-chairs the firm's Litigation Practice Group. He is an accomplished litigation attorney focusing on complex patent disputes in a variety of technologies, including industrial and automotive machinery, chemical, medical devices, and software ranging from web-based protocols to automated detection systems.

Ryan has a wide range of litigation experience before federal district courts, the U.S. International Trade Commission, the Patent Trial and Appeal Board, the Court of International Trade, and various arbitration forums. He is a thoughtful team leader and is sought out for his good judgment and quick ability to determine the key issues of a case.

Leading litigation teams in representing both international and domestic companies, Ryan is not afraid to take creative approaches to resolve disputes. He understands the intricacies of litigation and can guide clients while clearly articulating their positions.

In addition to his litigation practice, Ryan also counsels clients on intellectual property procurement and licensing. He is regularly involved in developing and supervising patent prosecution strategies for maximizing the value of his clients' intellectual property portfolios. Ryan's litigation experience enables him to advise clients on complex prosecution strategies to avoid potential problems if a patent portfolio is later challenged. He continues to maintain a patent prosecution practice with particular emphasis on chemical compounds, medical devices, and the firearm industries.

## Education

J.D., Duke University School of Law

B.S., Biochemistry, North Carolina State University

B.S., Chemical Engineering, North Carolina State University Park Scholar

## Bar Admissions

Tennessee

Registered Patent Attorney (USPTO)

## Experience

### REPRESENTATIVE MATTERS

#### Federal Court:

- *Wirtgen America, Inc. v. United States et al.*, 1:20-cv-00027 (Ct. Inter. Trade 2020) (Represented Wirtgen America, Inc.; obtained a case dispositive ruling for the client after prevailing on summary judgment which included court-ordered instructions to the United States Customs and Border Protection)
- *Orthopedic Innovation Pty, Ltd. et al. v. Onyx Medical LLC*, 2:19-cv-02001 (W.D. Tenn. 2019) (Represented Onyx Medical LLC; obtained an early dismissal of the action after uncovering prior art regarding surgical drill bit technology)
- *Colas Solutions, Inc. v. Blacklidge Emulsions, Inc.*, No. 18-1358 (Fed. Cir. 2017) (Represented Blacklidge Emulsions, Inc.; obtained affirmance of the PTAB's final written decision finding the challenged claims were not obvious in view of the prior art)
- *Universal Technologies, Inc. et al v. Cleek et al.*, 2:14-cv-0091 (M.D. Tenn. 2017) (Represented multiple defendants; defended against claims of computer fraud, RICO, civil conspiracy)
- *House of Bryant Publications, LLC v. City of Rocky Top, Tennessee et al.*, 3:14-cv-00093 (E.D. Tenn. 2014) (Represented the House of Bryant Publications, LLC; litigated one of the only trademark infringement cases over a city's name, obtained a preliminary injunction which forced a settlement)
- *Internet Patents Corporation v. Active Network, Inc.*, No. 14-1048 (Fed. Cir. 2013) (Represented Permanent General Assurance Corporation of Ohio and The General Automobile Insurance Services, Inc.; obtained affirmance in one of the earlier precedential opinion confirming the dismissal of a software patent under 35 U.S.C. § 101)
- *Internet Patents Corporation v. The General Automobile Insurance Services, Inc. et al.*, 3-12-cv-05036 (N.D. Cal. 2012) (Represented Permanent General Assurance Corporation of Ohio and The General Automobile Insurance Services, Inc.; obtained dismissal after filing one of the earliest motions to dismiss under 35 U.S.C. § 101)
- *Wirtgen America, Inc. v. Roadtec, Inc.*, 3:11-cv-00729 (M.D. Tenn. 2011) (Represented

Wirtgen America, Inc.; obtained an early settlement after amending the complaint to include specific acts of infringement by defendant)

- *Infection Prevention Technologies, LLC v. UVAS, LLC et. al.*, 2:10-cv-12371 (E.D. Mich. 2010) (Represented Lumalier Corporation; defended leader in ultraviolet light disinfection technology against assertion of infringement of multiple patents)
- *Rocky Brands, Inc. et al v. Bratcher et al.*, 2:08-cv-00107 (S.D. Ohio 2008) (Represented Westwood Footwear and Accessories; defended against claims ranging from trademark infringement to RICO and successfully settled during the bench trial)

### **International Trade Commission:**

- 337-TA-1123: Carburetors and Products Containing Such Carburetors – *Walbro LLC v. Tractor Supply Co. et al.* (Represented Tractor Supply Co.; obtained dismissal of action based upon the ALJ's finding of no domestic industry of the petitioner)
- 337-TA-1088: Road Construction Machines and Components Thereof – *Caterpillar Inc. v. Wirtgen America, Inc. et al.* (Represented all Respondents; obtained dismissal of multiple patents asserted by the petitioner)
- 337-TA-1067: Road Milling Machines and Components Thereof – *Wirtgen America, Inc. v. Caterpillar Inc. et al.* (Represented Wirtgen America, Inc.; obtained findings of infringement for multiple patents and a subsequent exclusion order)
- 337-TA-1017: Quartz Slabs and Portions Thereof (II) – *Cambria Company LLC. v. Building Plastics Inc. et al.* (Represented Building Plastics Inc. et al.; obtained early dismissal based on investigation uncovering prior art)
- 337-TA-895: Multiple Mode Outdoor Grills and Parts Thereof – *A&J Manufacturing, LLC v. Tractor Supply Co. et al.* (Represented Tractor Supply Co.; obtained early settlement prior to finding of infringement and subsequent violation)

### **Inter Partes Reviews:**

- IPR2018-01201: *Wirtgen America, Inc. et al. v. Caterpillar Paving Products, Inc.* (Represented Petitioner Wirtgen America, Inc. et al.; invalidated patent owner's patent on a milling machine with re-entering back wheels)
- IPR2018-00242, 00243: *Colas Solutions, Inc. v. Blacklidge Emulsions, Inc.* (Represented Patent Owner Blacklidge Emulsions, Inc.; successfully defended client's patents and obtained a decision designated by the PTAB as informative concerning declaratory judgment actions and 35 U.S.C. § 315)
- IPR2017-02185; *Caterpillar Inc. et al. v. Wirtgen America, Inc. et al.* (Represented Patent Owner Wirtgen America, Inc.; successfully retained claims and obtained a final written decision from the PTAB finding the challenged claims were not obvious in view of the prior art)
- IPR2017-02188: *Caterpillar Inc. et al. v. Wirtgen America, Inc. et al.* (Represented Patent Owner Wirtgen America, Inc.; successfully defended client's patent and obtained a final written decision from the PTAB finding the challenged claims were not obvious in view of the prior art)

- IPR2016-01031, 01032: *Colas Solutions, Inc. v. Blacklidge Emulsions, Inc.* (Represented Patent Owner Blacklidge Emulsions, Inc.; successfully defended client's patents and obtained a final written decision from the PTAB finding the challenged claims were not obvious in view of the prior art)

## REPRESENTATIVE PATENTS

- 10,675,297 Copolymers of hydrophobic and hydrophilic segments that reduce protein adsorption
- 10,669,758 Locking apparatuses and a method of providing access control
- 10,634,128 Moisture condensate separator and method of use thereof
- D880,781 Kneepad
- 10,597,896 Tent lighting assembly for growing plants
- 10,557,678 Manually operated firearm system
- 10,525,391 Oil coalescing device
- 10,507,015 Low normal force retracting device comprising a microtextured surface
- 10,485,822 Copolymers of hydrophobic and hydrophilic segments that reduce protein adsorption
- 10,451,466 Oil sight glass
- 10,433,924 Wenzel-cassie glove
- 10,400,779 Tool and method for removing fan blades
- 10,363,113 Adjustable containment shield
- 10,327,891 Intra-annular mounting frame for aortic valve repair
- D851,186 Exercise sled
- 10,314,738 Thermal therapeutic apparatus
- 10,308,405 Oil dispensing lid
- 10,302,111 Expandable joint and universal fit headband
- 10,226,732 Diagnostic breather dryer
- 10,145,631 Firearm system
- D823,953 Exercise weight bag
- 10,006,727 Firearm system
- 9,972,985 Prefabricated multitrade subassembly building system and methods
- 9,844,434 Intra-annular mounting frame for aortic valve repair
- 9,814,574 Non-axisymmetric aortic valve devices

## **Court Admissions**

- Eastern District of Tennessee
- Middle District of Tennessee
- Western District of Tennessee
- Eastern District of Michigan
- Eastern District of Texas
- Sixth Circuit Court of Appeals
- Federal Circuit Court of Appeals
- United States Court of International Trade

## **Professional & Community Service**

- Adventure Science Center
  - Technology Committee Member
- American Intellectual Property Law Association
- American Institute of Chemical Engineering
- American Bar Association
  - Patent, Copyright, and Trademark Committee
  - Fellow
- The Belmont University College of Law American Inn of Court
  - Past Executive Committee Member
  - Past Programming Chair
- Nashville Bar Association
  - Past Member of the Board of Directors
  - Intellectual Property Committee
  - Continuing Legal Education Committee
    - Past Member
  - Nashville Bar Association Young Lawyers Division
    - Past President
    - Past Events Director
    - Past Co-Social Chair
    - Past Member of the Board of Directors
- Nashville Bar Foundation
  - Fellow
- Tennessee Bar Association
  - Intellectual Property Committee
    - Past Chair
- Tennessee Bar Association Young Lawyers Division
  - Past Member
- Tennessee Intellectual Property Law Association
  - Past President

## Presentations & Publications

### PRESENTATIONS

- *"Trademark Bullies: Taking Enforcement Too Far,"* Rocky Mountain IP & Technology Law Institute, June 2021
- *"Protection of Consumer Products: Design Patents vs. Copyright vs. Trademark vs. Trade Dress,"* Rocky Mountain IP & Technology Law Institute, July 2020
- *"Trademark Lessons from the Alcohol Industry,"* Tennessee Bar Association, 2020
- *"Trade Secrets for Business,"* Tennessee Bar Association, May 2020
- *"Hello, My Name is Trademark—Surnames and Trademarks,"* Rocky Mountain IP & Technology Law Institute, May 2019
- *"Cease and Desist Letters in the Alcohol Industry,"* Nashville Bar Association, October 2019
- *"Intellectual Property: Inter Partes Review Update,"* Tennessee Bar Association, 2019
- *"IPaparrazzi: Trademark, Publicity, and Privacy Rights,"* Rocky Mountain IP & Technology Law Institute, May 2018
- *"Trademarks and White Lightnin',"* Tennessee Intellectual Property Association, November 2018
- *"Where in the World is My Trademark? Lessons from Rocky Top,"* Rocky Mountain IP & Technology Law Institute, May 2017
- *"IP Law: Patents,"* Tennessee Bar Association, 2017
- *"Practical Considerations in Initiating Intellectual Property Litigation,"* Tennessee Bar Association, 2017
- *"A Shot of CLE: Alcohol and the Law,"* Nashville Bar Association, December 2016
- *"Handling Cease and Desist Letters for your Intellectual Property Clients,"* Tennessee Bar Association, 2012
- *"Year in Review in Intellectual Property Law,"* Tennessee Bar Association, 2011
- *"Social Networks & IP law Issues,"* Tennessee Bar Association, 2009

### ARTICLES

- [\*Blurred Lines, Intellectual Property Magazine, June 2021\*](#)
- *Brewery Wars: Strategies for Protecting Alcohol-Related Brands,* Nashville Bar Association, March 2016
- *Design Patent Damages Awards Under Apple v. Samsung,* Tennessee Bar Journal, September 2015
- *Pharmaceuticals and Biopiracy: How the AIA May Inadvertently Reduce the Misappropriation of Traditional Medicine,* 23 U. Miami Bus. L. Rev. 401 2015
- *Our Patent System and Healthcare Information Technology: Valuable Incentive or Impediment to Innovation,* Belmont Law Review Symposium, October 2014
- *Patent Law and Edible Self-Replicating Technologies,* Nashville Bar Journal, July 2012

## Professional Recognition

- Best Lawyers® *The Best Lawyers in America*®, Litigation – Intellectual Property, 2020-2022
- Best Lawyers® “Lawyer of the Year”, Litigation – Patent, Nashville, 2021
- Super Lawyer, 2019-2021
- Super Lawyers Rising Star 2013-2018
- Nashville Business Journal, Best of the Bar, 2018-2023
- Nashville Bar Association President’s Award 2015