

## Matias Ferrario

### Partner

1001 West Fourth Street , Winston-Salem , NC USA 27101

t 336.607.7475 | f 336.734.2651

mferrario@kilpatricktownsend.com

#### Services

Patents

ITC Section 337

Patent Litigation

Biologics & Pharmaceutical Patent Technology

Litigation

Asset Creation - Prosecution &  
Counseling

Licensing, Transactions &  
Monetization

Market Protection - Opinions &  
Dispute Avoidance

Trade Secrets

Post-Grant Proceedings

Intellectual Property

#### Industries

Media & Entertainment

Financial Services

Retail & Consumer Goods

Technology

Energy

Health & Life Sciences



Matias Ferrario focuses his practice on intellectual property matters, including patent litigation, Inter Partes Review, due diligence, and counseling. He is registered to practice before the United States Patent and Trademark Office. Mr. Ferrario also has experience in complex litigation matters involving trade secret, licensing, contract, and business tort disputes.

Mr. Ferrario has participated in cases in multiple federal courts, including the District of Columbia, District of Delaware, Eastern District of Texas, Northern District of California and Eastern District of Virginia. He has lead all aspects of complex patent matters, including trial, preliminary injunctions, and Inter Partes Review proceedings. Mr. Ferrario has substantive experience in a wide number of technical areas including biotechnology, medical devices, pharmaceuticals, semiconductors, computer systems, call processing systems, business methods, software systems, and mechanical devices.

Mr. Ferrario was recognized in *The Best Lawyers in America*® for Intellectual Property Litigation and Patent

Litigation in 2018, 2019 and 2020. Mr. Ferrario speaks Spanish.

## Experience

Representative experience includes:

Invalidated a patent related to lubricating compositions through an Inter Partes Review. After oral argument, the Federal Circuit affirmed the Patent Trial and Appeal Board's decision invalidating the patent. *Infineum International Limited v. Afton Chemical Corporation*, IPR2017-01321 aff'd 19-1322 (Fed. Cir. January 9, 2020).

Asserted patents in the ITC and District Court against an accused infringer on behalf of an athletic apparel maker. Successfully defended the validity of three patents in Inter Partes Review proceedings, which was brought by defendants to the parallel patent infringement action. *adidas America, Inc., et al. v. TRB Acquisitions, et al.*, 3:16-CV-1618 (D. Or. 2019).

Defended the validity of two patents related to mechanical shoe cushioning systems in Inter Partes Review proceedings, which were brought by a defendant to a parallel patent infringement action. The Patent Trial and Appeal Board found that petitioner's failed to prove the challenged patents invalid. *adidas AG v. Skechers USA, Inc.*, 3:16-CV-1400-SI (D. Or. 2018).

Asserted a portfolio of patents on behalf of a national medical diagnostic and laboratory service provider resulting in favorable settlements. The patents related to pioneering inventions in the field of digital PCR. *Esoterix Genetic Laboratories et al. v. Myriad Genetics*, 1:16-CV-01112-WO-JEP (M.D. NC 2016).

Defended company against assertions of patent infringement over patents related to Bluetooth technology. Tried through jury verdict. *Fujifilm Corp. v. Motorola Mobility LLC*, 12-CV-03587-WHO (N.D. Cal. 2015).

Defended a medical diagnostic company accused of infringing patents related to identifying breast cancer genes. Successfully invalidated patents in an MDL litigation, which was affirmed by the Federal Circuit. *In re BRCA1- and BRCA2-based Hereditary Cancer Test Patent Litigation*, MDL Case 2:14-MD-02510, 2:13-CV-01069-RJS (D. Utah 2014).

Asserted a portfolio of patents related to digital sports and fitness tracking leading to a successful settlement on the eve of trial. *adidas AG v. Under Armour*, 14-CV-130-GMS (D. Del. 2014).

Represented defendant against patents related to CMOS image sensors and image processing. *Imperium (IP) Holdings v. Motorola Mobility LLC*, 4:11-CV-00163-RC-ALM (EDTX 2013).

Represented communication company in a litigation involving a large number of patents directed to call



processing software and interactive voice response units. The patents related to natural language processing, optimized storing and routing of data, and other call processing technology. *In re Katz Call Processing Litigation*, Case No. CV 2:07-ML-01816-B-RGK (C.D. Cal. 2012).

## Education

Case Western Reserve University J.D. (2000)

*cum laude*

University of Michigan B.S. (1994) Cellular and Molecular Biology

Wake Forest University Post Baccalaureate Graduate Studies in Molecular Biology (1995) Post Baccalaureate Graduate Studies in Molecular Biology

## Admissions

District of Columbia (2001)

North Carolina (2008)

Virginia (2000)

## Professional & Community Activities

Hispanic League, Member

Local Patent Rules Committee (M.D. NC)

NC Fusion Soccer, Board Member

North Carolina Bar Association, Member

## Insights

### [News Releases](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2021  
August 20, 2020

### [News Releases](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2020  
August 15, 2019

### [In The News](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2019  
August 20, 2018



### [News Releases](#)

Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2018

August 15, 2017

### [In The News](#)

Kilpatrick Townsend's Media Report September 9-15, 2016

September 16, 2016

### [News Releases](#)

Kilpatrick Townsend's Josh Pond, Mitch Stockwell, Matias Ferrario, and Jon Harris Noted as Counsel to Reebok by Law360 re: "ITC To Investigate Reebok Patent Infringement Claims"

September 16, 2016

### [In The News](#)

Kilpatrick Townsend's Media Report July 1-14, 2016

July 15, 2016

### [In The News](#)

Kilpatrick Townsend's Media Report May 6-12, 2016

May 13, 2016

### [In The News](#)

Kilpatrick Townsend's Media Report December 11-24, 2015

December 24, 2015

### [In The News](#)

Kilpatrick Townsend's Media Report September 4-10, 2015

September 11, 2015

### [In The News](#)

Kilpatrick Townsend's Media Report April 23-30, 2015

May 1, 2015