



→ Ryan P. Cunningham

Associate

12275 El Camino Real
Suite 100
San Diego, CA 92130

T: +1.858.720.7457

F: +1.858.523.6728

rcunningham@sheppardmullin.com

Ryan Cunningham is an associate in the Intellectual Property Practice Group in the firm's San Diego (Del Mar) and Silicon Valley offices.

Areas of Practice

Ryan is a seasoned attorney specializing in complex patent litigation. He represents clients in U.S. district courts and before the U.S. International Trade Commission (ITC). Clients rely on his background in Physics as an intellectual property attorney to handle all stages of patent litigation involving diverse technologies across a wide variety of industries, such as mobile devices, automotive, Internet of Things, semiconductors, and wireless networking.

Ryan has over a decade of experience litigating cases involving Standard Essential Patents (SEPs), from pre-suit negotiations through trial. Ryan's experience covers a broad range of standards, including cellular, Wi-Fi, and video codec standards. In addition to litigation, Ryan is highly skilled in advising clients on license negotiations and strategy concerning SEPs. He has advised both patent owners as well as implementers on issues related to Fair, Reasonable, and Non-Discriminatory (FRAND) licensing commitments. Ryan is also a noted speaker, including presenting at the Global Standards Leadership Forum where he shared valuable insights on best practices for standard implementers in the negotiation of FRAND licenses and litigation involving SEPs.

Experience

Representative Patent Litigation Experience

- *TCL Communication Technology Holdings v. Telefonaktiebolaget LM Ericsson and Ericsson Inc.* (C.D. Cal.)
Represents TCL Communication in breach of contract and declaratory judgment action relating to Fair, Reasonable, and Non-Discriminatory (FRAND) licensing and the IPR policies of ETSI and 3GPP relating to 2G, 3G and 4G technology.
- *Ericsson Inc. and Telefonaktiebolaget LM Ericsson v. TCL Communication Technology Holdings, et al.* (E.D. Tex.)
Represents TCL Communication and TCT Mobile in a five-patent infringement action relating to patents Ericsson has alleged cover aspects of mobile phone hardware and the Android operating system, including multi-mode direct conversion circuitry, control program software and assisted GPS functionality.
- *Rosetta Wireless v. HTC* (N.D. Ill.)
Represents HTC Corporation and HTC America, Inc., in an infringement action relating to a portable, wireless file server patent alleged to cover aspects of mobile phone hardware and software.

- *Certain Earpiece Devices having Positioning and Retaining Structure* (USITC)
Represented Monster, Inc., Monster, LLC, and Monster Technology International, Ltd., in an ITC investigation filed by Bose regarding headphone design. Obtained a favorable settlement two weeks before trial.
- *Net Navigation Systems v. Cisco Systems, et al.* (E.D. Tex.)
Represented Cisco in a four-patent infringement action relating to the design and operation of network processors for use in core and edge network routers, including processors with parallel processing channels, multi-processor systems, dynamic congestion management and quality of service implementations. Obtained a favorable settlement.
- *Certain Omega-3 Extracts from Marine or aquatic Biomass* (USITC)
Represented Olympic Seafood AS, Olympic Biotec Ltd., Avoca, Inc., Rimfrost USA LLC and Bioriginal Food & Science Corp. in an ITC investigation filed by Neptune alleging infringement of a patent regarding a krill extract comprising omega-3 fatty acids, including EPA and DHA. Obtained a favorable settlement.
- *Netgear v. Ruckus Wireless* (D. Del.)
Represented Netgear in a five-patent infringement suit against Ruckus regarding wireless networking devices, including wireless mesh networking, interference mitigation and beamforming.
- *Certain Equipment for Communications Networks, Including Switches, Routers, Gateways, Bridges, Wireless Access Points, Cable Modems, IP Phones* (USITC)
Represented Cisco in a six-patent ITC investigation regarding wired and wireless local area networking devices. Obtained a favorable claim construction ruling invalidating one patent and won numerous pre-trial motions. MOSAID dismissed the case the day before trial.
- *Certain Liquid Crystal Display Devices* (USITC)
Represented Thomson Licensing in five-patent ITC investigation relating to the design and semiconductor fabrication of thin film transistors, as well as the fabrication of liquid crystal display cells.

Media Mentions

InterDigital Accused Of Unfair Terms For Telecom Patents
Law360, 01.03.2019

Practices

Intellectual Property

International Trade Commission (ITC)

Education

J.D., George Washington University Law School, 2010, *with honors*

B.A., Physics, California Polytechnic State University, San Luis Obispo, 2007

Admissions

California

Additional Office

Silicon Valley