



## Ryan J. Cudnik Of Counsel

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For complex and high-profile patent and IP actions, such as Hatch-Waxman (ANDA) litigations, numerous Fortune 500 companies have trusted Ryan with their cases. Ryan has litigated a broad range of intellectual property (IP) cases, including litigations over “blockbuster” pharmaceutical products with global sales exceeding \$1 billion per year and bet-the-company gaming litigations involving a blend of IP and contract issues. His complex patent litigation experience includes multidistrict litigations (MDL), Hatch-Waxman (ANDA) litigations, and unfair import investigations (section 337 patent infringement actions) in the U.S. International Trade Commission. Ryan has also handled high-stakes trademark and trade secret litigation.

Prior to joining the firm, Ryan practiced intellectual property law at Watson Rounds, a firm Brownstein merged with September 1, 2015, Finnegan Henderson in Washington, D.C., and Fitzpatrick Cella in New York, NY. Prior to law school, he worked as a high school teacher and varsity lacrosse and soccer coach.

### **Practices**

Intellectual Property, Intellectual Property Litigation

### **Representative Matters**

- Represented NewDay Financial in a declaratory judgment action against United Services Automobile Association (“USAA”) in the District of Maryland involving USAA’s allegations of copyright and trademark infringement. A motion to dismiss USAA’s first-filed complaint in the Northern District of Texas was granted for lack of personal jurisdiction. Case settled
- Represented Galaxy Gaming in an AAA arbitration proceeding regarding Galaxy’s table game High Card Flush. Prevailed on issues of intellectual property ownership, willful infringement, fraud, permanent injunction, and attorneys’ fees.
- *Aervoe Indus., Inc. v. PMG, Inc.*, No. 3:14-cv-00488 (D. Nev. 2014) (declaratory judgment action for patent noninfringement and patent invalidity).
- *Walker Digital Table Systems, LLC v. GPI Corp.*, No. 2:14-cv-00438 (D. Nev. 2014) (patent litigation regarding phase jitter modulation RFID technology).
- Counseled Walker Digital Table Systems, LLC regarding various business and patent licensing issues.
- *In the Matter of Certain Gemcitabine and Products Containing the Same*, Inv. No. 337-TA-766 (U.S. ITC) (unfair import investigation).
- *Eli Lilly and Co. v. Sicor Pharm., Inc.*, 705 F. Supp. 2d 971 (S.D. Ind. 2010) (ANDA litigation regarding Gemzar®).
- *Adams Respiratory Therapeutics, Inc. v. Pharmaceutical Holdings Corp.*, No. 06-cv-4418 (E.D. Pa.) (ANDA litigation regarding Mucinex®).
- *Astellas Pharma, Inc. v. Ranbaxy, Inc.*, No. 05-cv-2563, 2007 WL 576341 (D.N.J. Feb. 21, 2007) (ANDA litigation regarding Flomax®).
- *Merck and Co. v. Dr. Reddy’s Lab. Ltd.*, No. 04-cv-1313 (D. Del.) (ANDA litigation regarding Propecia®).
- *In re Omeprazole Patent Litigation*, MDL Docket No. 1291, Master Docket No. M-21-81 (S.D.N.Y.) (ANDA litigation regarding Prilosec®).

- In re Gabapentin Patent Litigation, MDL Docket No. 1384, Master Docket No. 00-cv-2931 (D.N.J.) (ANDA litigation regarding Neurontin®).

### **Publications & Presentations**

- Gaming Patents And “Abstract Ideas”: What Are The Rules Of The Game?, Co-author, *CGi Magazine*, May 2019
- Mobile Gambling and the Implications of American Broadcasting Company, Inc. v. Aereo, Inc., Author, *Nevada Business Magazine*, November 2014
- A Cross-Appeal Is Improper When It Would Not Expand the Scope of a District Court Judgment in Favor of the Cross-Appellant, Author, *Last Month at the Federal Circuit*, April 2011
- Dismissal of Plaintiff’s DJ Complaint for Lack of Personal Jurisdiction over Defendants Reversed, Author, *Last Month at the Federal Circuit*, October 2008

### **Education**

- J.D., 2002, Catholic University of America, Columbus School of Law
- B.S., Biology, 1996, Hampden-Sydney College

### **Admissions**

- Nevada
- New York
- Maryland
- District of Columbia
- U.S. District Court, District of Nevada
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. Court of Appeals, Federal Circuit

### **Membership**

American Bar Association  
American Intellectual Property Association