

Ben N. Luehrs

Partner

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Mr. Luehrs is a jury trial lawyer who has helped secure jury verdicts and post-trial relief for plaintiffs totaling over \$550,000,000 and reduced damages demands by plaintiffs against defendants at trial by nearly \$160,000,000. His experience spans consumer electronics, life sciences, medical devices, industrial design, aviation, and other mechanical, electrical, and biological arts.

Mr. Luehrs' first trial experience prior to joining Desmarais LLP was serving as the first-chair trial attorney as a fifth year associate for the designer of the Laser sailboat, Bruce Kirby, in a Federal Court jury trial concerning willful trademark infringement and misappropriation of Mr. Kirby's name and likeness. Through his opening statement, witness examinations, and closing argument, Mr. Luehrs convinced the jury that the defendants' infringement was willful and to award Mr. Kirby millions in damages, including punitive damages. Following the trial, Mr. Luehrs successfully briefed and argued a post-trial motion and secured a further award of over \$730,000 in attorneys' fees for Mr. Kirby from the Court.

In October 2024, Mr. Luehrs was a member of a trial team that represented the plaintiff, a multi-national high-tech company, in the District of Delaware. The team obtained a jury verdict of willful infringement against the defendant on two watch and charger design patents. At the trial, Mr. Luehrs took testimony from his client's industrial design expert, who demonstrated the design patent infringement, and cross-examined the defendant's lead witness and corporate representative to help convince the jury the infringement was willful.

A month earlier, in September 2024, Mr. Luehrs was a member of another trial team in the Eastern District of Texas representing defendant IBM against plaintiff Pardalis Technology Licensing, L.L.C. concerning IBM's blockchain products. After working on damages issues earlier in the case, Mr. Luehrs cross-examined Pardalis' financial expert witness at the trial. Pardalis had asked the jury for \$167,000,000 million in damages, but Mr. Luehrs helped convince the jury to award just a small portion of that amount through his cross-examination of that witness and additional admissions obtained by Mr. Luehrs through his cross-examination of the plaintiff's technical expert. The case favorably settled shortly after trial.

EDUCATION

University of Minnesota Law School,
J.D.

Bethel University, B.A.

ADMISSIONS

New York

Connecticut

Minnesota

Registered to practice before the
United States Patent and Trademark
Office

In January 2024, Mr. Luehrs was a member of another trial team that represented a patent holder, **Ravgen, Inc.**, in the Western District of Texas against Natera Inc. concerning non-invasive prenatal testing. The jury found the asserted patent valid and infringed. The jury's verdict against Natera followed a prior finding of willful infringement by LabCorp on the same patent in September 2022. Mr. Luehrs' responsibilities at the *Ravgen* trials included taking testimony from the patent holder's founder and CEO and cross-examining one of the LabCorp's fact-witnesses with knowledge about **LabCorp's willful infringement**.

Prior Experience

- Associate, Whitmyer IP Group LLC

Courts

- United States District Court for the District of Connecticut
- United States District Court for the District of Colorado
- United States Court of Appeals for the Federal Circuit
- United States Court of Appeals for the Second Circuit
- United States District Court for the Northern District of Texas
- United States District Court for the Western District of Texas

News & Publications

- *IBM Owes \$19.5M In EDTX Trial Over 'Blockchain' Software* -Law360, September 27, 2024
- **Desmarais LLP Defeats Labcorp's Attempt to Undermine Ravgen's Trial Victory**
- **Desmarais LLP Wins \$57M Jury Verdict for Ravgen in Prenatal Genetic Testing Patent Trial**
- **Desmarais LLP Announces 2024 Attorney Elevations**
- **Desmarais LLP Secures \$100M Enhanced Damages Ruling for Ravgen**
- **Desmarais LLP Defeats Final PTAB Challenge to Ravgen's Genetic-Testing Patents**
- **Desmarais LLP Secures Patent Litigation Settlement for Ravgen**
- **Desmarais LLP Secures \$272.5M Jury Verdict in Prenatal Genetic Testing Patent Trial**