

Brian D. Matty

Partner

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Mr. Matty's practice focuses on intellectual property disputes in federal courts and at the Patent Trial and Appeal Board. He has represented clients in cases relating to a wide range of technologies, including diagnostic genetic testing, catheter technologies, robotic surgery, neurostimulation, wireless communications, and media distribution networks.

Mr. Matty is a trial lawyer with extensive experience in all aspects of patent litigation. He is also a registered attorney at the US Patent Office and helps clients navigate post-grant proceedings at the Patent Trial and Appeal Board. Mr. Matty led the defense of biotech firm Ravgen's patents against a series of ten *inter partes* review petitions against some of the largest diagnostic testing companies in the world. He secured decisions upholding all claims of Ravgen's patents as lead counsel at the PTAB. Mr. Matty also argued appeals of the IPRs at the Federal Circuit and again secured decisions affirming all claims of the Ravgen patents. The Ravgen patents Mr. Matty defended were asserted in district court, where he and the Desmarais LLP team secured a **\$272.5 million jury verdict and an additional \$100 million in enhanced damages** for willful infringement against Labcorp, and secured a **\$57 million verdict for Ravgen against Natera**.

Mr. Matty was also a key member of the Desmarais LLP team that represented IBM in its first jury trial as a patentee in decades. During the trial, Mr. Matty conducted the examination of an IBM licensing executive who provided the basis for IBM's damages claims. The trial ended in an **\$82.5 million jury verdict** finding all four asserted IBM patents valid and willfully infringed.

Mr. Matty also assists clients with offensive and defensive pre-suit investigations and patent assertion strategy. He has extensive experience advising clients in patent licensing and settlement negotiations, and he regularly advises clients on developing and maintaining patent portfolios.

Prior to joining Desmarais LLP, Mr. Matty was a patent agent and associate at Ropes & Gray, where he gained significant experience in patent prosecution and managing large patent portfolios before focusing on patent litigation. Mr. Matty is also a named inventor on U.S. Patent No. 8,496,655, which covers a

EDUCATION

Fordham University School of Law,
J.D., 2014

University of Michigan, M.S.E.,
Biomedical Engineering, 2009

University of Michigan, B.S.E.,
Biomedical Engineering, 2008, *magna cum laude*

ADMISSIONS

2012, United States Patent and
Trademark Office

2014, Massachusetts

2016, New York

catheter-based medical device for removing heart valves during minimally-invasive heart surgery.

Prior Experience

- Associate, Ropes & Gray LLP, 2014-2016
- Patent Agent, Ropes & Gray LLP, 2009-2014

Courts

- United States District Court for the Eastern District of New York
- United States District Court for the Southern District of New York
- United States District Court for the District of Massachusetts
- United States Court of Appeals for the Federal Circuit

Representative Matters

- Represents Ravgen in multiple patent litigations and inter partes reviews against Labcorp, Natera, Quest, Illumina, Roche, Foundation Medicine, Myriad, and Progenity. Secured decisions upholding all claims of Ravgen's patents that were challenged in ten separate *inter partes* reviews.
- Represented IBM in patent litigation against Groupon that resulted in an \$82.5 million jury verdict finding all four IBM patents at issue valid and willfully infringed. Participated in all aspects of the case, including successfully arguing claim construction and summary judgment issues. Conducted direct examination of an IBM licensing executive at trial.
- Represented IBM against Expedia, Hotwire, Orbitz, Traelocity, Homeaway, and Hotels.com in multiple patent litigation cases concerning web technology and e-commerce. Overcame repeated challenges to IBM's patents in district court and before the Patent Trial and Appeal Board before obtaining a favorable settlement.
- Represented IBM in patent litigation against Priceline, OpenTable, and Kayak concerning web technology and e-commerce patents. Defeated repeated challenges to IBM's patents in district court and at the Patent Trial and Appeal Board before obtaining a favorable settlement.
- Represented a leading consumer electronics company in patent infringement litigation involving location-based services software.
- Represented LifeCell Corporation against TELA Bio, Inc. in patent infringement and trade secret cases involving reconstructive tissue matrix products.
- Represented Double Down Interactive LLC, a subsidiary of International Game Technology, in litigation involving patents directed to electronic gaming.

News & Publications

- **J&J Unit Cleared In Blood Pump Patent Suit In Mass.** - *Law360*, May 28, 2026

- Inventor, United States Patent No. 8,496,655: System and method for resecting a valve
- “Desmarais LLP Defeats PTAB Challenge to Prenatal Genetic Testing Patent” - Mr. Matty is lead counsel for Ravgen in series of ten *inter partes* reviews challenging Ravgen's patents. All ten of the IPRs have concluded, and all challenged claims of Ravgen's patents have been upheld.
- “Desmarais LLP Secures \$272.5M Jury Verdict in Prenatal Genetic Testing Patent Trial” - Mr. Matty is part of the Desmarais LLP team representing Ravgen in a series of district court litigations, including a dispute with LabCorp in which Ravgen won a \$272.5 million jury verdict in Texas. The verdict was later increased to \$372.5 million with the addition of \$100 million in enhanced damages for willful infringement.
- “Desmarais LLP Secures \$82.5M Patent Win for IBM Over Groupon at Trial” - Mr. Matty was part of the Desmarais LLP team that won an \$82.5 million jury verdict for IBM in a patent infringement trial in Delaware. During the trial, Mr. Matty examined an IBM licensing executive.
- “Desmarais LLP Finalizes Favorable Settlement for IBM to End Lawsuit Against Priceline”
- Desmarais LLP Secures \$20.2 Million Jury Verdict for Harbour in Antibody Patent Trial
- Desmarais LLP Secures Complete Defense Verdict for Abiomed in Blood Pump Patent Trial
- Desmarais LLP Defeats Labcorp's Attempt to Undermine Ravgen's Trial Victory
- Desmarais LLP Earns Appellate Victories for Ravgen's Prenatal Genetic-Testing Patent
- Desmarais LLP Secures Defense Victory for Intel before the Federal Circuit
- Desmarais LLP Wins \$57M Jury Verdict for Ravgen in Prenatal Genetic Testing Patent Trial
- 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 Earns Defense Win for Intel in Tech Patent Lawsuit
- Desmarais LLP Earns Another PTAB Win for Ravgen's Prenatal Genetic Testing Technology
- Desmarais LLP Announces 2023 Partner Elevation
- Desmarais LLP Secures Another PTAB Win for Prenatal Genetic Testing Technology
- Desmarais LLP Defeats PTAB Challenge to Prenatal Genetic Testing Patent
- IBM Corp. v. Groupon, Inc.