

Kyle G. Petrie

Partner

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Kyle G. Petrie is a trial lawyer with experience representing clients in patent infringement and antitrust disputes. He has represented clients in the electronics, life sciences, and biotechnology industries in all stages of litigation and has experience in United States District Courts, inter partes review proceedings before the United States Patent and Trademark Office, and arbitration proceedings.

In September 2024, Mr. Petrie was a member of the trial team that successfully represented IBM in a two-patent trial against Zynga related to interactive services. After a five-day trial, the Delaware jury returned a verdict of infringement for both of IBM's patents (including willfulness for one of the patents), rejected Zynga's invalidity defenses, and awarded IBM damages of **\$44.9M**. Mr. Petrie's responsibilities at trial included cross-examining Zynga's Senior Director of Engineering and Senior Vice President of Games.

Previously, Mr. Petrie was a member of the trial teams that represented Ravgen in two jury trials against Laboratory Corporation of America Holdings ("LabCorp") and Natera concerning non-invasive prenatal testing. At the Ravgen trials, the team achieved jury verdicts totaling over \$329M (over **\$272M against LabCorp** and **\$57M against Natera**) and a finding of willful infringement against LabCorp that led to **\$100M** in enhancement. Mr. Petrie's responsibilities included cross-examining LabCorp's and Natera's expert witnesses and, at the Natera trial, direct examining Ravgen's technical expert on infringement and validity.

Prior to the Ravgen trials, Mr. Petrie represented Viiv Healthcare and Shionogi in their case against Gilead. The case involved the HIV drugs dolutegravir and bicitgravir. Mr. Petrie was involved in the case from drafting the complaint through trial preparations. Shortly before trial was set to begin, the case settled for over **\$1.25B plus royalties**.

Mr. Petrie was also a member of the trial team defending client Cisco against antitrust claims brought by competitor Arista Networks. On the morning of opening statements, Arista Networks agreed to pay Cisco **\$400M** to settle pending disputes between the parties.

Prior to joining Desmarais LLP, Mr. Petrie spent a summer working at a New

EDUCATION

Benjamin N. Cardozo School of Law,
J.D., 2016, *cum laude*, Cardozo Arts
and Entertainment Law Journal,
Associate Editor

Queen's University, Kingston, Ontario,
M.A.Sc., Chemical Engineering, 2013

Queen's University, Kingston, Ontario,
B.Sc., Chemical Engineering, 2011,
First Class Honors, B.E.C. Joyce
Memorial Award

ADMISSIONS

2017, New York

York-based patent prosecution firm. During law school, he was a member of Cardozo's Arts & Entertainment Law Journal and spent a semester working in Cardozo's Tech Startup Clinic providing pro bono legal services to startup companies. Prior to joining law school, Mr. Petrie completed a Master's degree in Applied Science (chemical engineering), researching conductive polymer nanocomposites.

Prior Experience

- Summer Associate, Desmarais LLP, New York, New York, 2015
- Summer Associate/Legal Intern, Fay Kaplun & Marcin LLP, New York, New York, 2014

Other Distinctions

- *U.S. News & World Report, Best Lawyers, Ones to Watch* - Patent Litigation, Patent Law

Representative Matters

- Counsel for plaintiff in patent infringement litigation regarding interactive services – *International Business Machines Corporation v. Zynga, Inc.*, 22:cv-00590-GBW (D. Del.)
- Counsel for plaintiff in patent infringement litigations regarding noninvasive testing - *Ravgen, Inc. v. Laboratory Corporation of America Holdings*, 6:20-cv-00969 (W.D. Tex.); *Ravgen, Inc. v. Natera, Inc. et al.*, 1:20-cv-00692 (W.D. Tex.); *Ravgen, Inc. v. Quest Diagnostics Inc.*, 2:21-cv-09011 (C.D. Cal.); *Ravgen, Inc. v. PerkinElmer Inc. et al.*, 1:20-cv-00882 (W.D. Tex.)
- Counsel for plaintiffs in patent infringement litigation regarding HIV integrase inhibitor Biktarvy® - *ViiV Healthcare Company et al. v. Gilead Sciences, Inc.*, No. 1:18-cv-00244-CFC-CJB (D. Del.)
- Counsel for international biotechnology company in arbitration proceeding defending against claims regarding patent licensing dispute
- Counsel for defendant in antitrust litigation - *Arista Networks, Inc. v. Cisco Systems, Inc.*, No. 5:16-cv-00923-BLF (N.D. Cal.)
- Counsel for plaintiff in patent infringement litigation regarding multiple package delivery technologies - *Intellectual Ventures II LLC v. FedEx Corp.*, No. 2:16-cv-009800-JRG (E.D. Tex.)

News & Publications

- “**Desmarais LLP Secures \$44.9M Jury Verdict for IBM in Tech Patent Trial**” – *Firm News*, Sept. 2024 – Mr. Petrie was part of the Desmarais LLP team that won a \$44.9 million jury verdict for IBM in a patent infringement trial in the District of Delaware.
- “**Desmarais LLP Wins \$57M Jury Verdict for Ravgen in Prenatal Genetic Testing Patent Trial**” – *Firm News*, Jan. 2024 – Mr. Petrie was part of the Desmarais LLP team that won a \$57 million jury verdict for Ravgen in a patent infringement trial in the Western District of Texas.

- "IP Group Of The Year: Desmarais" – Law360, Jan. 2023 – Mr. Petrie was interviewed as part of Law360 naming Desmarais LLP as IP Group Of The Year.
- "Desmarais LLP Secures \$272.5M Jury Verdict in Prenatal Genetic Testing Patent Trial" – *Firm News*, Sept. 2022 – Mr. Petrie was part of the Desmarais LLP team that won a \$272.5 million jury verdict for Ravgen in a patent infringement trial in the Western District of Texas.
- "Desmarais LLP Represents ViiV Healthcare and Shionogi in Patent Settlement, Securing \$1.25B Plus Royalties" – *Firm News*, Feb. 2022 – Mr. Petrie was part of the Desmarais LLP team representing GlaxoSmithKline affiliate ViiV Healthcare and Shionogi in patent litigation related to HIV-1 treatment Biktarvy®.
- Petrie, K., Osazuwa, O., Docoslis, A., Kontopoulou, M., "Controlling MWCNT partitioning and electrical conductivity in melt compounded polypropylene/poly(ethylene-co-octene) blends," *Polymer* 114, 231-241, 2017.
- Petrie, K., Kontopoulou, M., Docoslis, A., "Non-covalent compatibilization of polypropylene/MWCNT composites using an amino-pyridine grafted polypropylene matrix," *Polymer Composites* 37, 2794-2802, 2016.
- Xiang, P., Petrie, K., Kontopoulou, M., Ye, Z., Subramanian, R., "Tuning Structural Parameters of Polyethylene Brushes on Silica Nanoparticles in Surface-Initiated Ethylene "Living" Polymerization and Effects on Silica Dispersion in a Polyolefin Matrix," *Polymer Chemistry* 4, 1381-1395, 2013.
- Osazuwa, O., Petrie, K., Kontopoulou, M., Xiang P., Ye, Z., Docoslis, A., "Characterization of non-covalently, non-specifically functionalized multi-wall carbon nanotubes and their melt compounded composites with anethylene-octene copolymer," *Comp. Sci. Technol.* 73, 27-33, 2012.
- Petrie, K., Docoslis, A., Vasic, S., Kontopoulou, M., Morgan, S., Ye, Z., "Non-covalent/Non-specific Functionalization of Multi-Walled Carbon Nanotubes with a Hyperbranched Polyethylene and Characterization of their Dispersion in a Polyolefin Matrix," *CARBON* 49, 3371-3391, 2011.
- Desmarais LLP Secures \$20.2 Million Jury Verdict for Harbour in Antibody Patent Trial
- Best Lawyers Names John Desmarais 'Lawyer of the Year,' Honors 10 Desmarais LLP Attorneys in 2026 Rankings
- Desmarais LLP Defeats Labcorp's Attempt to Undermine Ravgen's Trial Victory
- Desmarais LLP Announces 2025 Attorney Elevations
- Desmarais LLP Secures \$44.9M Jury Verdict for IBM in Tech Patent Trial
- 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
- Law360 IP Practice Group of the Year Award Highlights Desmarais LLP's Trial Wins, Training Program

- Desmarais LLP Secures \$272.5M Jury Verdict in Prenatal Genetic Testing Patent Trial
- Desmarais LLP Represents ViiV Healthcare and Shionogi in Patent Settlement, Securing \$1.25B Plus Royalties
- Arista Networks Inc. v. Cisco Systems Inc.