

Brent P. Ray

Partner

Trial and Global Disputes / Intellectual Property, Patent, Trademark and Copyright Litigation



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Brent Ray is a trial lawyer who has first-chaired multiple cases to verdict. He has served as lead counsel for industry-leading clients, such as IBM, JP Morgan Chase, Citibank and Kemper Insurance. Brent's work has taken him to a wide variety of venues, including federal court, state court, the United States Patent and Trademark Office and the United States International Trade Commission.

As a result of his diverse experience, Brent has been called upon to advise clients on the intellectual property and litigation aspects of corporate merger agreements and product acquisitions, and to develop and manage patent portfolios. Brent has also argued before the Court of Appeals for the Federal Circuit to defend a grant of summary judgment that he won below.

Brent is an Adjunct Professor at Chicago-Kent School of Law teaching advanced Legal Writing focused on Intellectual Property issues. Brent is a member of the trial bar of the Northern District of Illinois.

Matters

Electronic Receipts Delivery Systems v. Vend (N.D. Cal. 2019) - Lead counsel for Vend in patent litigation involving point-of-sale technology.

Sonohm Licensing v. Best Buy (D. Del. 2019) - Lead counsel for Best Buy in patent litigation involving Bluetooth technology.

TriOptima v. Quantile Technologies (E.D. Tex. 2019) - Lead counsel for TriOptima in patent and trade secret litigation involving OTC derivatives trading technology.

CoolTVNetworks v. IBM (D. Del. 2019) — Lead counsel for IBM in patent litigation involving video advertising technology.

Intellectual Ventures v. Kemper Insurance (E.D. Texas 2015) — Lead counsel for Kemper in patent litigation involving website technology.

Confident Techs. v. Best Buy (S.D. Cal. 2018) — Lead counsel for Best Buy in patent litigation involving reCAPTCHA technology.

Realtime Data v. IBM (E.D. Texas 2018) — Lead counsel for IBM in patent litigation involving data compression technology.

In re PersonalWeb (N.D. Cal. 2018) — Lead counsel for numerous defendants in MDL proceeding, including Shopify, Atlassian, StitchFix, and Strava.

Rembrandt v. Alere (S.D. Cal. 2016) — Represented Alere (now Abbott) in patent case involving drugs-of-abuse diagnostic devices. Jury verdict of noninfringement.

Intellectual Ventures v. JP Morgan Chase (SDNY 2013), *SunTrust Banks* (N.D. Ga. 2013), *First National Bank of Omaha* (D. Neb. 2013), *BBVA Compass* (N.D. Ala. 2013), *Commerce Bancshares* (W.D. Mo. 2013), *US Bancorp* (D. Minn. 2013), *Huntington Bancshares* (S.D. Ohio 2013), *Capital One* (D. Md. 2013), *Citibank* (SDNY 2014), *PNC* (W.D. Pa. 2014) — Representing multiple entities in multi-patent infringement litigation involving online banking and security technology. Argued and won summary judgment of noninfringement in JP Morgan Chase and Citibank litigations; argued and won Federal Circuit appeal. All other litigations stayed.

PersonalWeb v. IBM Corporation (N.D. Cal. 2012) — Represented IBM in defense of patent infringement claims related to data archiving and de-duplication patents. Argued and won Daubert motion against PersonalWeb's damage expert. Case resolved favorably for IBM shortly thereafter.

In the Matter of Certain Audiovisual Components and Products Containing Same, Investigation No. 337-TA-837 (US ITC 2012) — Represented MediaTek and Ralink respondents in defense of alleged acts of unfair importation based on accusations of infringement of four patents directed to wireless networking and data storage technology.

Adobe v. Wowza Media Systems (N.D. Cal. 2011) — Represented Wowza Media System in a multi-patent infringement defensive matter, with false advertising and unfair competition claims, relating to streaming media technologies. Achieved summary judgment of non-infringement on two asserted patents.

W. Norman Scott, et al. v. Zimmer, Inc., (D. Del. 2010) — Represented Zimmer defendants in correction of inventorship case involving three patents related to knee prostheses. Court denied all Plaintiffs' claims of correction of inventorship.

Responder Systems v. IBM (N.D. Ill. 2010) — Represented IBM in defense of trade secret and tort claims brought by Responder Systems related to a wireless networking project.

Stragent, LLC v. Freescale Semiconductor, Inc., (E.D. Tex. 2010) — Represented Freescale against allegations of infringing three patents generally relating to Cyclic Redundancy Check (CRC) protocols in network processors.

Auburn University v. IBM Corporation, (M.D. Ala. 2009) — Represented IBM in defense of patent infringement, correction of inventorship and various state law claims relating to predictive testing processes for semiconductor devices. IBM brought motions to dismiss various common law counts, which were granted in June 2010 (decision at 2010 WL 2292422). Court granted IBM's motion for summary judgment of noninfringement of all claims.

In re Plasma-Derivatives Protein Therapies Antitrust Litigation, MDL No. 2109 (N.D. Ill. 2009) — Represented Baxter International Inc. in several antitrust class action lawsuits alleging conspiracy to limit production and fix prices of certain plasma protein products sold in the United States.

CPUmate v. IBM Corporation (S.D. Tex. 2008) — Represented IBM in defending against patent

infringement claims related to heat sink technology.

California Institute of Technology v. Nikon, et al. (C.D. Cal. 2008) — Represented Nikon in 11 patent infringement action related to CMOS image sensor technology.

In re Certain Semiconductor Chips With Minimized Chip Package Size and Products Containing Same, Investigation No. 337-TA-605 (US ITC 2007) — Represented respondent Freescale Semiconductor in investigation alleging infringement of Tessera patents relating to packaging of semiconductor devices.

Computer Docking Station Corp. v. IBM Corporation (W.D. Wisc. 2006) — Represented IBM in a multi-patent, multi-defendant infringement case brought by an Acacia affiliate involving docking stations for portable computers.

Freescale Semiconductor, Inc. v. ProMOS Technologies (E.D. Tex. 2006) — Represented Freescale in a patent infringement assertion against ProMOS Technologies over technology related to semiconductor processes and circuits.

Synchrome Technology v. IBM Corporation (E.D. Tex. 2005) — Represented defendant IBM in a patent infringement action relating to communications between a host computer and at least two storage devices over a single interface.

Smith & Nephew v. Synthes (W.D. Tenn. 2002; Fed. Cir. 2005) — Represented Synthes in multi-patent infringement suit involving intramedullary femoral nail implants. Case settled favorably after oral argument at Federal Circuit.

Pro Bono

A.S. v. Chicago Public Schools (Illinois 2018) — lead trial counsel for family of autistic child wrongfully denied benefits by CPS; full victory at trial.

In re Churchill (Michigan state court) — Lead trial counsel representing single mother in juvenile action regarding removal of children due to mother's recognition of cross-gender behavior in middle child; lead counsel in 2015 trial resulting in dismissal of State's petition.

Baskin v. Bogan (S.D. Indiana, 7th Circuit, U.S. Supreme Court) — Represented three same-sex couples in reversing Indiana's ban on same-sex marriage. Affirmed by Seventh Circuit and certiorari denied by the U.S. Supreme Court.

Sobel v. Boyd (N.D. Ill. 2013) — Represented theatrical artist in trademark and breach of partnership duties lawsuit against co-partner. Temporary restraining order and preliminary injunction obtained blocking defendant's attempt to hold a confusingly similar production, and favorable settlement followed.

Jackson v. City of San Francisco et al. (9th Cir. 2013) — Lead attorney on amicus brief in support of upholding San Francisco's safe storage law for firearms, filed on behalf of the Law Center to Prevent Gun Violence.

Young v. Indianapolis Public Schools Corp., et al. (S.D. Ind. 2012) — Defended wrongfully expelled high school student in civil rights litigation against IPS and other defendants. Favorable settlement reached; publicly-filed and expunged student's expulsion from his record.

Bundy v. Raasch et al. (E.D. Wisc. 2012) — Represented author in wrongful attribution copyright infringement case against editor, magazine and publisher, resulting in favorable settlement for client.

Credentials

EDUCATION

J.D., Washington University in St. Louis
B.S. Civil Engineering, Northwestern University

ADMISSIONS

U.S. Patent and Trademark Office
Illinois
New York

ASSOCIATIONS

Executive Board, Membership Chair, The Richard Linn American Inn of Court
Board of Directors of Law Center to Prevent Gun Violence
Chicago Founders Council, American Writers Museum

Recognition

Named "Emerging Lawyer in Illinois"
LEADING LAWYERS, 2015

News

IN THE NEWS

December 20, 2019 • Source: Chicago Tribune

K&S pro bono work on behalf of transgender inmates in all Illinois prisons is highlighted in an article regarding the recent ruling by a Federal judge who ordered sweeping reforms

November 27, 2019 • Source: IPWatchdog

Brent Ray shares the key message from the 63rd Annual Intellectual Property Conference in Chicago

August 5, 2019 • Source: Law360

Additional coverage of intellectual property trial partner Brent Ray joining the firm

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