



## Ryan Morris

Shareholder

### Email

rmorris@wnlaw.com

### Phone

801.533.9800

### Education

J.D., *summa cum laude*, J. Reuben Clark Law School, Brigham Young University, 2005

M.A., with Distinction in English Literature, University of Reading, Reading, England, 2001

B.A., *cum laude*, Brigham Young University, 2000

### Admissions

US Supreme Court  
US Court of Appeals for the Federal Circuit  
US Court of Appeals for the D.C. Circuit  
US Court of Appeals for the Second Circuit  
US Court of Appeals for the Third Circuit  
US Court of Appeals for the Fifth Circuit  
US Court of Appeals for the Ninth Circuit  
US Court of Appeals for the Tenth Circuit  
US District Court for the District of Utah  
Utah Bar  
Virginia State Bar  
District of Columbia

Ryan has 18 years of experience litigating complex legal issues at all levels and in a wide range of federal forums. In United States courts, he has litigated in many U.S. District Courts, most of the Federal Circuit Courts of Appeal, and the U.S. Supreme Court. He has also litigated before the Patent Trial and Appeal Board and the U.S. International Trade Commission. The subject matter of his work is widely varied, including for example challenges to and defenses of federal agency action, qui tam actions, breach of contract and other commercial disputes, constitutional challenges, and with a special emphasis on intellectual property law.

Ryan has considerable expertise in handling appeals to the U.S. Court of Appeals for the Federal Circuit. He has been counsel in scores of cases in the Federal Circuit, covering a broad array of technical subject matters, including computer systems, computer displays, telecommunications, pharmaceuticals, and medical devices. And the appeals he has handled have arisen from U.S. District Courts, the Patent Trial and Appeal Board, and the U.S. International Trade Commission.

Ryan has extensive experience petitioning for and opposing certiorari in the U.S. Supreme Court, and in handling Supreme Court cases on the merits. For instance, he successfully petitioned for a writ of certiorari and briefed *HollyFrontier Cheyenne Refining, LLC v. Renewable Fuels Association*, 141 S. Ct. 2172 (2021). He was counsel in *Teva Pharmaceuticals USA, Inc. v. Sandoz, Inc.*, 135 S. Ct. 831 (2015), addressing the standards for review of claim constructions, and *Octane Fitness v. ICON Health & Fitness*, 572 U.S. 545 (2014), addressing the “exceptional case” requirement for attorneys fees under 35 U.S.C. § 285. He has also filed numerous amicus briefs in cases before the Supreme Court.

Prior to joining Workman Nydegger, Ryan was a partner in the Supreme Court & Appellate practice of a large international law firm. Before that, he clerked for Judge A. Raymond Randolph on the U.S. Court of Appeals for the D.C. Circuit. Ryan graduated from BYU Law School *summa cum laude* where he was the Editor-in-Chief of the BYU Law Review.

## Experience

Representative intellectual property cases include:

- *Auris Health, Inc. v. Intuitive Surgical Operations, Inc.*, 32 F.4th 1154 (Fed. Cir. 2022) – successfully briefed and argued challenge to Patent Trial and Appeal Board’s final written decision – voted “Patent Impact Case of the Year” at LMG Life Sciences Americas Awards 2022
- *Boston Scientific Neuromodulation Corp. v. Nevro Corp.*, 2022 WL 714975 (Fed. Cir. Mar. 10, 2022) – successfully briefed and argued in defense of Patent Trial and Appeal Board determination that patent claims are obvious.
- *Braemar Manufacturing, LLC v. The Scottcare Corp.*, \_\_ Fed. App’x \_\_, 2020 WL 3564687 (Fed. Cir. 2020) – argued in support of patentability of cardiac monitoring patent under 35 U.S.C. § 101.
- *Parthenon Unified Memory Arch. v. HTC Corp.*, 745 F. App’x 160 (Fed. Cir. 2018) – successfully argued in defense of final written decision finding video and audio decompression patent unpatentable.

Other representative cases\* include:

- *HollyFrontier Cheyenne Refining, LLC v. Renewable Fuels Association*, 141 S. Ct. 2172 (2021) – successfully petitioned for a writ of certiorari and briefed challenge to 10th Circuit decision addressing the small refinery exemption under the Renewable Fuel Standard.
- *Producers of Renewables for Integrity Trust and Transparency v. EPA*, 2022 WL 538185 (10th Cir. 2022) – successfully briefed and argued on behalf of Intervenor in support of EPA’s remedial grant of Renewable Identification Numbers under the Renewable Fuel Standard.
- *Advanced Biofuels Association v. EPA*, 782 Fed. App’x 1 (D.C. Cir. 2019) – successfully briefed and argued on behalf of Intervenor seeking dismissal of petition for review for lack of final agency action.
- *Teva Pharmaceuticals USA, Inc. v. Sandoz, Inc.*, 135 S. Ct. 831 (2015) – addressing whether a district court’s factual finding in support of claim construction should be reviewed de novo, or for clear error.
- *Octane Fitness v. Icon Health & Fitness*, 572 U.S. 545 (2014) – addressing the “exceptional case” requirement in 35 U.S.C. § 285.