



## Ryan J. Schermerhorn

Partner

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Ryan Schermerhorn, Hiring Partner for Marshall Gerstein, is a registered patent attorney in the firm's Industrial & Mechanical Technologies Practice Group. His engineering background provides him with an understanding of clients' technologies and enables him to effectively and efficiently provide a range of patent procurement services. He also leverages his experience to assist on intellectual property litigation as well as develop strategies for acquiring and protecting intellectual property.

Since 2017, Ryan has been listed as an "Emerging Lawyer" by *Emerging Lawyers Magazine*. Ryan was recognized in *Chicago Daily Law Bulletin's* 2023 40 Under Forty list. In 2024, Ryan was selected for inclusion in *The Best Lawyers in America*® list in the practice area of Patent Law.



### Practices

- Patent Prosecution

### Industries

- Automotive & Transportation
- 3D Printing
- Industrial & Mechanical Technologies
- Cleantech & Renewables

- Consumer Products
- Medical Devices

### **Representative Experience**

Ryan has drafted and prosecuted both U.S. and foreign patent applications for diverse technologies, prepared non-infringement and “freedom to operate” opinions, and advised clients on optimal patent filing strategies. He has experience drafting and prosecuting applications directed to diverse technologies including:

- Medical devices
- Process control valves, regulators, actuators, proximity switches, and related equipment and systems
- Construction equipment, heavy machinery, paving machines and asphalt manufacturing
- Manufacturing processes (e.g., additive manufacturing) and manufacturing equipment technology
- Spacecraft orientation and navigation control systems
- Diverse array of consumer products, such as cookware, coffee makers, shelving and storage systems, child care products, and beverage containers
- Dental instruments
- Gravity-feed shelving
- Bottling systems
- Lighting devices for commercial and industrial purposes
- HVAC systems
- Digital image processing
- Mapping related software applications
- Mobile applications
- Health care equipment such as catheters and ostomy products
- Injection molding machines and processes

### **Background and Credentials**

Ryan joined Marshall Gerstein in 2013 and became partner in 2018. At Marshall Gerstein, Ryan serves as the chair of the Recruiting Committee and he is also a member of the firm's Diversity, Equity & Inclusion Committee and Finance Committee.

Ryan is experienced in preparing and prosecuting domestic and foreign patent applications in mechanical, electrical, medical, e-commerce, and business method arts. He has counseled clients on patentability, freedom to operate and patent invalidity and has reviewed and interpreted licensing and joint research agreements.

Prior to joining Marshall Gerstein, he worked as an intellectual property attorney for clients in a variety of industries, including mobile applications and operating systems, navigational routing algorithms and

applications, medical imaging devices, critical care products, child safety products, and other consumer products.

Ryan received his J.D., *cum laude*, from DePaul University College of Law, where he also received a Certificate in Patent Law. While in law school, he was a member and editor of the *DePaul Journal of Art, Technology, & Intellectual Property*, was president of the DePaul chapter of the Phi Alpha Delta legal fraternity, and received the Allen J. Hoover Memorial Award and Patent Resources Group's Future Leaders Scholarship. Additionally, he holds a B.S. in general engineering, with honors, from the University of Illinois at Urbana-Champaign.

## Education

- DePaul University College of Law (J.D.)
- University of Illinois, Urbana-Champaign (B.S.)
  - General Engineering

## Bar Admissions

- Illinois
- U.S. Patent and Trademark Office

## Publications and Presentations

August 17, 2023

**"Despite Fears, American Axle Is Rarely Used To Nix Patents"**

*Law360*

August 7, 2020

**"Court Split Over Driveshaft Patent Muddies Eligibility Question" (featured quotes)**

*Bloomberg Law*

August 6, 2020

**"Driveshaft Case Brings More Confusion To Patent Eligibility" (featured quotes)**

*Law360*

May 13, 2020

**"Assessing the Impact of American Axle Six Months Out"**

*IPWatchdog*

March 2020 Issue

**"3D Printing: Reshaping our Engineering Culture?" (featured quotes)**

*Plastics Engineering Magazine, Volume 76, Issue 3*

October 4, 2017

**"Practical Patent Foreign Filing Tips for Young Attorneys"**

*Intellectual Property Law Association of Chicago*

September 2016

**"Introduction to Options for Challenging U.S. Patents, Contributory Infringement, Prior Use, and Infringement by Importation"**

February 2014

**"Means Plus Function Claims: Still Valuable?"**

*CLE Presentation*

Winter 2011

**"Hot News: The 'Hot-News' Doctrine is Hot Again! Or is it?"**

*Engage: The Journal of the Federalist Society's Practice Groups*

Fall 2008

**"Broadcom v. Qualcomm"**

*DePaul Journal of Art, Technology & Intellectual Property*

**Community and Professional Involvement**

- Board Member, Alumni Advisory Board for Department of Industrial & Enterprise Systems Engineering at the University of Illinois Urbana-Champaign, October 2016–Present
- Board Member, Public Narrative, June 2020 - Present
- Social Chair, Richard Linn Inn of Court, Summer 2021 - Present
- Member, IPLAC
- Vice-Chair, IPLAC Young Members Committee, May 2016–May 2018
- Executive Board Member, Chicago Alumni Chapter of Phi Alpha Delta, January 2014–December 2017
- Member, ABA Committee charged with drafting problem for Giles Rich Moot Court Competition, Fall 2011, 2012, 2013 and 2014
- Mentor, Chicago Intellectual Property Alliance (CIPA) Mentorship Program, 2014
- Editor, Business Casual (Published by the American Intellectual Property Law Association), Summer 2012–2013