



Ryan J. Schermerhorn

Partner

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Ryan Schermerhorn 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* and has been selected for inclusion in the *Illinois Rising Stars*® lists. 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:

- Product packaging machines and processes
- Cleantech and renewable systems, devices, and processes
 - Energy generation, storage, and distribution (e.g., electric chargers)
 - Carbon reuse (e.g., injecting carbon into cementitious materials)
 - Hydrogen technologies
 - Alternative energy sources
- Medical devices, such as catheters, ostomy products, drug delivery instruments, and dental instruments
- Process control valves, regulators, actuators, noise attenuation equipment, proximity switches, and related equipment and systems
- Construction equipment, heavy machinery, paving machines and asphalt manufacturing
- Manufacturing processes and manufacturing equipment technology
 - Additive manufacturing processes, additive manufacturing machines (e.g., 3D printers)
 - Injection molding processes and injection molding machines
- Spacecraft orientation and navigation control systems
- Variety of consumer products and goods, such as cookware, coffee makers, shelving and storage systems, child care products, beverage containers, phone grips, phone cases, and wallets
- Gravity-feed shelving
- Beverage production and bottling equipment and systems
- Lighting devices for commercial and industrial purposes
- Digital image processing
- Mobile applications (e.g., mapping software applications for mobile devices)
- Gene sequencing and array technologies
- Automotive equipment and systems (e.g., brakes, wheels, engines)
- Industrial equipment and tools (e.g., heat exchangers, building construction tools, HVAC equipment)
- Microfluidics

Background and Credentials

Ryan joined Marshall Gerstein in 2013 and became partner in 2018. At Marshall Gerstein, Ryan is a member of the firm's Diversity, Equity & Inclusion Committee, Finance Committee, and Marketing & Business Development Committee, and previously served as the chair of the Recruiting 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

- "Uncertainty Surrounds Patent Eligibility Restoration Bill," *Law360*, March 18, 2024.
- "[IP Trends in Clean Tech Innovation](#)," *Industry Today*, January 4, 2024.
- "[Recent Developments in Mechanical and Industrial Patent Applications](#)," *DesignNews*, December 11, 2023.
- "Despite Fears, American Axle Is Rarely Used To Nix Patents," *Law360*, August 17, 2023.
- "[Court Split Over Driveshaft Patent Muddies Eligibility Question](#)," *Bloomberg Law*, August 7, 2020 (featured quotes).

See Ryan's additional thought leadership.

Community and Professional Involvement

- Vice-President & Board Member, Alumni Advisory Board for Department of Industrial & Enterprise Systems Engineering at the University of Illinois Urbana-Champaign, October 2016–Present
- Mentor, Legal Council on Legal Diversity Mentorship Program, 2022-Present
- Member and former Executive Board member, Richard Linn Inn of Court, September 2009 - Present
- Board Member, Public Narrative, June 2020 – June 2021
- 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

Insights

March 18, 2024

"Uncertainty Surrounds Patent Eligibility Restoration Bill"

Law360

January 4, 2024

"IP Trends In Clean Tech Innovation"

Industry Today

December 29, 2023

The US Patent and Trademark Office's Climate Change Mitigation Pilot Program

Marshall Gerstein Insights

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