



## ROBERT F. RUYAK

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202-838-1561

### **Practices:**

Patent & Intellectual Property Litigation, Antitrust Litigation, Class Actions, Complex Commercial Litigation, Government Investigations, Trade Secrets

### **State Bar:**

New York  
Pennsylvania  
District of Columbia

### **Court Admissions:**

United State Supreme Court  
U.S. District Court for the District of Columbia  
U.S. District Court for the Eastern District Court of New York  
U.S. District Court for the Southern District Court of New York  
U.S. District Court for the Eastern District of Texas  
U.S. Court of Appeals for the Third Circuit  
U.S. Court of Appeals for the Fourth Circuit  
U.S. Court of Appeals for the Fifth Circuit  
U.S. Court of Appeals for the Sixth Circuit  
U.S. Court of Appeals for the Eleventh Circuit  
U.S. Court of Appeals for the District of Columbia

### **Clerkships:**

U.S. District Court for the District of Columbia, Honorable John J. Sirica (1974-76)

### **Education:**

Georgetown University, JD  
Gannon University, BA

Mr. Ruyak is one of the nation's most experienced and respected litigation and trial lawyers. For almost four decades he has lead counsel and first-chair trial counsel in dozens of complex high value/risk cases, matters and trials. His focuses, substantively and procedurally, have been on the

protection and enhancement of the competitive interests of his clients. His experience in Competition Law covers: Antitrust monopolies, anticompetitive agreements and restraints; Patent enforcement and infringement defense; Trade Secret and Business Theft; Fraudulent, Unfair and Deceptive practices; Copyright and Trademark infringement; False Advertising; and Government Regulatory civil and criminal investigations and actions. In addition, he has represented both plaintiffs and defendants in Class Actions, Insurance Recovery, Shareholder, and Contract Disputes.

He has also represented both individuals and corporations in civil and criminal investigations and cases initiated by the U. S. Department of Justice, the Securities and Exchange Commission, the Department of Agriculture, the Internal Revenue Service and various State Attorney General Offices. With extensive experience in alternative dispute resolution, he has served as lead counsel in arbitrations in the United States, Bermuda and The United Kingdom. Since 2008, he has served on the Board of the International Institute for Conflict Prevention and Resolution (CPR) and currently as Chairman of its International Committee.

Mr. Ruyak has also made substantial contributions to the profession over his career. These include innovations in the areas of law school curriculum and experiential learning; young attorney training, skills development and career management; law practice management; continuing legal education; and trial techniques, including trial strategy, use of experts, cross-examination, and the use of presentation technologies. He is a founder and has served as a board member of the Catholic Charities Pro Bono Legal Network for 25 years, which he chaired for two years. These contributions have been recognized by, among others, Georgetown University Law Center, The John Carroll Society, and a number of publications. The American Lawyer recognized him as an innovator with a cover article in 2008. He received the Legal Times' "Visionary" award for two consecutive years, 2008 and 2009, and was featured in Chief Legal Executive magazine in 2004.

After clerking for Judge John J. Sirica, U.S. District Court for the District of Columbia, between 1974 and 1976, he practiced with litigation powerhouse firms: Howrey LLP and Winston & Strawn, LLP before founding RuyakCherian, LLP with partner Sunny Cherian in 2015.

## **Representative Trials**

*GSI Technology, Inc. v. United Memories, Inc. and Integrated Silicon Solution, Inc.* (U.S. District Court, N.D. California) – Jury Trial (2015) - Represented defendant, United Memories, Inc. against allegations of breach of a DRAM design Agreement and misappropriation of trade secrets.

*NuVasive v. Globus Medical, Inc.* (U.S. District Court, Delaware) – Patent Jury Trial (2013) - Defended Globus in a patent litigation involving spine implants and surgical instruments. Resulted in a favorable settlement for Globus while case was on an appeal.

*Travelport, LP v. American Airlines, Inc.* (Circuit Court of Cook County, Illinois) - Contract Case Preliminary Injunction - Bench Trial (2010). Represented defendant American Airlines defending allegations of improper contract termination.

*ZF Meritor LLC, et al. v. Eaton Corporation* (U.S. District Court, Delaware) - Civil Antitrust - Jury Trial (2009). Represented defendant Eaton Corporation defending allegations of

monopolization and exclusive dealing in the manufacture and sale of heavy duty truck transmissions.

*GTE v. XL Insurance Company* (London, England) - Insurance Coverage Arbitration (2004). Represented plaintiff GTE in an arbitration brought by Verizon (GTE) for costs and losses incurred for required alterations to communications systems to comply with Y2K requirements under certain insurance contracts.

*In re Disposable Contact Lens Antitrust Litigation* (MDL Dkt. No. 1030, U.S. District Court, Middle District of Florida, Jacksonville Division) - Antitrust Jury Trial (3001). Represented Johnson & Johnson in class actions and parens patrias cases brought by 28 state attorney general's offices alleging claims of antitrust price-fixing and refusals to deal in the sales of prescription contact lenses.

*Digital Satellite System Receivers and Components Thereof* (Before the International Trade Commission, Washington, DC) - Patent Bench Trial. Represented patent holder Personalized Mass Media, Inc. in a trial before the International Trade Commission seeking to exclude the importation of digital television cable boxes based on their infringement of Personalized Mass Media patents.

*XL Insurance Corp. v. E. I., DuPont de Nemours* (New York, NY) - Insurance Coverage Arbitration (1994). Represented DuPont in an arbitration seeking insurance coverage from XL for settlement and case defense costs expended by DuPont in the defense of farm insecticide product liability cases.

*Wang Laboratories v. Mitsubishi Electronics America, Inc.* (U.S. District Court, S.D. California, Los Angeles) - Patent Jury Trial (1993). Represented plaintiff Wang Laboratories on claims of patent infringement by Mitsubishi of Wang Laboratories' semiconductor patents.

*American Health Advisors v. The University of Texas System, et al.* (Civ. No. 91-15513, State Court of Texas, Travis County, 261st Judicial District) – Represented plaintiff American Health Advisors in a breach of contract action against the University of Texas for failure to pay for the implementation of a system created by American Health for the tracking and reimbursement of Medicare and Medicaid expenditures by the UT hospital system.

*Wang Laboratories v. Toshiba and NEC* (U.S. District Court, E. D. of Virginia, Alexandria) - Patent Jury Trial (1991). Represented Wang Laboratories on claims of patent infringement by Toshiba and NEC of Wang Laboratories seminal patents covering memory modules used in mini and desktop computers.

*In re Lower Lake Erie Iron Ore Antitrust Litigation* (U.S. District Court, E. D. Pennsylvania, Philadelphia) - Multidistrict Antitrust Jury Trial (1989). Represented plaintiffs Jones & Laughlin Steel Corp., and Republic Steel Corp., against the major northeastern railroads alleging antitrust claims of group boycott and monopolization of docks on Lake Erie used for the transshipment of raw iron ore used in the manufacture of steel in Ohio and Pennsylvania. Obtained jury verdict and damages in excess of \$600 million. Case was upheld on appeal and cert was denied by the U.S. Supreme Court.

*Everest Systems v. Wang Laboratories, Inc.* (U.S. District Court, E. D. Virginia, Alexandria) - Contract Case Jury Trial (1986). Represented defendant Wang Laboratories in an alleged breach of a dealer distribution agreement for the sale of computer systems and software.

*Keener v. Wang Laboratories, Inc.* (U.S. District Court, E. D. Virginia, Alexandria) - Contract, Trade Secret Jury Trial (1984). Represented defendant Wang Laboratories on claims of breach of an employment contract and counterclaim for theft of trade secrets.

*In re Corrugated Container Antitrust Litigation* (U.S. District Court, S. D. Texas) - Multidistrict Antitrust Jury Trial (1979). Represented defendant Mead Corporation in a nationwide class action jury trial resulting from the multidistrict consolidation of several class actions alleging price fixing of corrugated containers.

*U.S. v. International Paper Co., et al.* (U.S. District Court, S. D. Texas) (1978) - Criminal Antitrust Jury Trial. Represented defendant Mead Corporation in a criminal jury trial based on the indictments of 32 companies and individuals alleging a nationwide price fixing conspiracy in the corrugated container industry. Mead was acquitted.

### **Activities:**

Mr. Ruyak served as the Chairman (2008-2011) of the Georgetown University Law Center Board of Visitors and has been a member of the board since 2003, the Gannon University board of trustees (2007-2014), and Chairman from 2004-2007, and a member of the board of trustees from 1994-2007, of Georgetown Preparatory High School.

### **Publications & Speaking Engagements:**

Heather Bock and Robert Ruyak. *Constructing Core Competencies*, American Bar Association (2006)

Robert Ruyak. *Inside the Minds: Leading Lawyers, "The Power of Focus,"* Aspatore Books, Inc. (2002)

"Think Different – Howrey reengineers its associate training and pay. Not it's competency – not longevity – that counts." – "The Revolutionaries" – *American Lawyer* (2008)

"Strategic Planning: Biting the Bullet," *Chief Legal Executive Magazine* (2004) p. 53  
Robert Ruyak and Alan Fisch. "Patent Audit: Turning Assets into Profits," *Corporate Legal Times: Litigation and Technology Supplement* (June 2000).