

## Kyle G. Petrie

Associate, New York



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Kyle G. Petrie is a trial lawyer with experience representing clients in patent infringement and antitrust disputes. He has represented clients in the electronics, life sciences, and biotechnology industries in all stages of litigation and has experience in United States District Courts, inter partes review proceedings before the United States Patent and Trademark Office, and arbitration proceedings.

Mr. Petrie was a member of the trial team that represented Ravgen against Laboratory Corporation of America Holdings ("LabCorp") in a patent infringement jury trial concerning non-invasive prenatal testing. The team achieved a complete victory that resulted in a judgment of over **\$272M against LabCorp** for its willful infringement. Mr. Petrie's responsibilities at trial included cross-examining one of LabCorp's expert witnesses and arguing the evidentiary objections that led to LabCorp abandoning its invalidity defense midtrial.

Prior to the LabCorp trial, Mr. Petrie represented ViiV Healthcare and Shionogi in their case against Gilead. The case involved the HIV drugs dolutegravir and bicitgravir. Mr. Petrie was involved in the case from drafting the complaint through trial preparations. Shortly before trial was set to begin, the case settled for over **\$1.25B plus royalties**.

Mr. Petrie was also a member of the trial team defending client Cisco against antitrust claims brought by competitor Arista Networks. On the morning of opening statements, Arista Networks agreed to pay Cisco **\$400M** to settle pending disputes between the parties.

Prior to joining Desmarais LLP, Mr. Petrie spent a summer working at a New York-based patent prosecution firm. During law school, he was a member of Cardozo's Arts & Entertainment Law Journal and spent a semester working in Cardozo's Tech Startup Clinic providing pro bono legal services to startup companies. Prior to joining law school, Mr. Petrie completed a Master's degree in Applied Science (chemical engineering), researching conductive polymer nanocomposites.

### Prior Experience

### EDUCATION

Benjamin N. Cardozo School of Law, J.D., 2016, *cum laude*, Cardozo Arts and Entertainment Law Journal, Associate Editor

Queen's University, Kingston, Ontario, M.A.Sc., Chemical Engineering, 2013

Queen's University, Kingston, Ontario, B.Sc., Chemical Engineering, 2011, First Class Honors, B.E.C. Joyce Memorial Award

### ADMISSIONS

2017, New York

- Summer Associate, Desmarais LLP, New York, New York, 2015
- Summer Associate/Legal Intern, Fay Kaplun & Marcin LLP, New York, New York, 2014

## Representative Matters

- Counsel for plaintiff in patent infringement litigations regarding noninvasive testing - Ravgen, Inc. v. Laboratory Corporation of America Holdings, 6:20-cv-00969 (W.D. Tex.); Ravgen, Inc. v. Natera, Inc. et al., 1:20-cv-00692 (W.D. Tex.); Ravgen, Inc. v. Quest Diagnostics Inc., 2:21-cv-09011 (C.D. Cal.); Ravgen, Inc. v. PerkinElmer Inc. et al., 1:20-cv-00882 (W.D. Tex.)
- Counsel for plaintiffs in patent infringement litigation regarding HIV integrase inhibitor Biktarvy® - ViiV Healthcare Company et al. v. Gilead Sciences, Inc., No. 1:18-cv-00244-CFC-CJB (D. Del.)
- Counsel for international biotechnology company in arbitration proceeding defending against claims regarding patent licensing dispute
- Counsel for defendant in antitrust litigation - Arista Networks, Inc. v. Cisco Systems, Inc., No. 5:16-cv-00923-BLF (N.D. Cal.)
- Counsel for plaintiff in patent infringement litigation regarding multiple package delivery technologies - Intellectual Ventures II LLC v. FedEx Corp., No. 2:16-cv-009800-JRG (E.D. Tex.)

## Publications

- “Desmarais LLP Secures \$272.5M Jury Verdict in Prenatal Genetic Testing Patent Trial” – *Firm News*, Sept. 2022 – Mr. Petrie was part of the Desmarais LLP team that won a \$272.5 million jury verdict for Ravgen in a patent infringement trial in the Western District of Texas.
- “Desmarais LLP Represents ViiV Healthcare and Shionogi in Patent Settlement, Securing \$1.25B Plus Royalties” – *Firm News*, Feb. 2022 – Mr. Petrie was part of the Desmarais LLP team representing GlaxoSmithKline affiliate ViiV Healthcare and Shionogi in patent litigation related to HIV-1 treatment Biktarvy®.
- Petrie, K., Osazuwa, O., Docoslis, A., Kontopoulou, M., “Controlling MWCNT partitioning and electrical conductivity in melt compounded polypropylene/poly(ethylene-co-octene) blends,” *Polymer* 114, 231-241, 2017.
- Petrie, K., Kontopoulou, M., Docoslis, A., “Non-covalent compatibilization of polypropylene/MWCNT composites using an amino-pyridine grafted polypropylene matrix,” *Polymer Composites* 37, 2794-2802, 2016.
- Xiang, P., Petrie, K., Kontopoulou, M., Ye, Z., Subramanian, R., “Tuning Structural Parameters of Polyethylene Brushes on Silica Nanoparticles in Surface-Initiated Ethylene “Living” Polymerization and Effects on Silica Dispersion in a Polyolefin Matrix,” *Polymer Chemistry* 4, 1381-1395, 2013.

- Osazuwa, O., Petrie, K., Kontopoulou, M., Xiang P., Ye, Z., Docoslis, A., "Characterization of non-covalently,non-specifically functionalized multi-wall carbon nanotubes and their melt compounded composites with anethylene-octene copolymer," Comp. Sci. Technol. 73, 27-33, 2012.
- Petrie, K., Docoslis, A., Vasic, S., Kontopoulou, M., Morgan, S., Ye, Z., "Non-covalent/Non-specific Functionalization of Multi-Walled Carbon Nanotubes with a Hyperbranched Polyethylene and Characterization of their Dispersion in a Polyolefin Matrix," CARBON 49, 3371-3391, 2011.