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LEADING COMMERCIAL LITIGATORS 2024



PATRICK M. RYAN
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Commercial, Antitrust
Intellectual Property and
Constitutional Litigation

Since he joined in 2014, Patrick M. Ryan has become the co-managing partner at the litigation boutique Bartko LLP. He is a member of the firm's executive committee, head of litigation, and chair of the firm's antitrust and IP protection groups.

In 2024, the 45-year-old firm launched its new year with a new moniker, slimmed down from its long-standing Bartko Zankel Bunzel & Miller. "We decided to trim the title, acknowledging the trend toward names that are shorter and more powerful," Ryan said, "and at the same time honoring the wonderful lawyer who is our founder, John Bartko."

A leading client, Uber Technologies, Inc., scored a major win late last year in a case in which it was accused of trade secret misappropriation by a vehicle financing service, Bama Commercial Leasing LLC.

"We took a sweeping trade secret, fraud and breach of contract case and through tenacious motion practice whittled it down to a tiny breach of contract case," Ryan said. Ryan and his team greatly limited the remaining breach of contract claims by winning a rarely granted Section 437c(f) motion for summary adjudication of issues of duty arising from a contract. In early December 2023, "within one month of Uber's victory on that motion, the plaintiff dismissed its entire case with prejudice." *Bama Commercial Leasing LLC v. Uber*

Technologies, Inc., CGC-19-579763 (S.F. Super. Ct., filed Oct. 3, 2019).

Ryan said tenacity and meticulous trial preparation are key. "When your adversary knows you're always working toward trial, it gives you leverage and keeps the pressure on. Most litigators aren't really trial lawyers — they try to win on the papers because trial scares them. So, it's a natural advantage when you really want to get into the courtroom. People sense it."

On the plaintiff side, Ryan represents leading graphic designer Nicky Laatz in a breach of contract and copyright infringement suit against online marketplace Zazzle Inc. for allegedly misappropriating her typeface design and reaping sales worth millions of dollars. *Laatz et al. v. Zazzle Inc. et al.*, 5:22-cv-04844 (N.D. Cal., filed Aug. 24, 2022).

Trial is set for 2025. Ryan said that recent favorable court rulings on his team's motion for summary judgment confirm that the "Blooming Elegant" set of fonts at issue is included within the terms of the license his client had with the defendant. "This is a huge victory for the client because it takes a major issue off the trial table and it will prevent the jury from getting confused about what could have been a complex issue at trial."

— JOHN ROEMER

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