

Matias Ferrario

Partner

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Services

Adversarial Patent ProsecutionSM

Asset Creation - Prosecution &
Counseling

Life Sciences Patent Disputes

Intellectual Property

ITC Section 337

Licensing, Transactions &
Monetization

Market Protection - Opinions &
Dispute Avoidance

Patent Litigation

Patents

Post-Grant Proceedings

Trade Secrets

Industries

Energy

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Health & Life Sciences

Media & Entertainment

Retail & Consumer Goods



Matias Ferrario is Co-Leader of Kilpatrick's Patent Litigation Practice Group. Matias focuses his practice on intellectual property matters, including patent litigation, *inter partes* review, due diligence, and counseling. He is registered to practice before the U.S. Patent and Trademark Office. Matias also has experience in complex litigation matters involving trade secrets, licensing, contract, and business tort disputes.

Matias has participated in cases in multiple federal courts, including the District of Columbia, District of Delaware, Eastern District of Texas, Northern District of California and Eastern District of Virginia. He has led all aspects of complex patent matters, including trial, preliminary injunctions, and *inter partes* review proceedings. Matias has substantive experience in a wide number of technical areas including, biotechnology, medical devices, pharmaceuticals, semiconductors, computer systems, call processing systems, business methods, software systems, and mechanical devices.

Matias was recognized in *The Best Lawyers in America*® for Intellectual Property Litigation and Patent Litigation in 2027 and the nine years immediately preceding. He is listed in the 2026 and three immediately preceding editions of *Chambers USA: America's Leading Lawyers for Business* for Intellectual Property. Matias was named a top patent practitioner in 2026 and the five years immediately preceding by *IAM Patent 1000 – The*

World's Leading Patent Practitioners. He was named a "Patent Leader" in 2025 by *World IP Review*. Matias was recommended by *Legal 500 US* in 2023 and 2024 for Patent Prosecution. He speaks Spanish.

Experience

Represented adidas AG, adidas North America, Inc., adidas America, Inc., and adidas International Trading AG in patent infringement and importation investigation at ITC brought by Nike, Inc., related to the design and manufacture of shoe uppers for knitted footwear, with related action in Oregon federal court. One of the largest patent cases in the footwear industry, the case involved nine U.S. patents from multiple distinct families of patents, each covering a different subject matter. After completing both fact and expert discovery, the case was settled on confidential terms shortly before the evidentiary hearing at the ITC. *In re Certain Knitted Footwear*, U.S. ITC Inv. No. 337-TA-1289; *Nike, Inc. v. adidas AG et al.*, No. 3:21-cv-01780 (D. Or. 2022)

Invalidated a patent related to lubricating compositions through an Inter Partes Review. After oral argument, the Federal Circuit affirmed the Patent Trial and Appeal Board's decision invalidating the patent. *Infineum International Limited v. Afton Chemical Corporation*, IPR2017-01321 aff'd 19-1322 (Fed. Cir. 2020)

Asserted patents in the ITC and District Court against an accused infringer on behalf of an athletic apparel maker. Successfully defended the validity of three patents in inter partes review proceedings, which were brought by defendants to the parallel patent infringement action. *Reebok International Ltd. et al. v. TRB Acquisitions LLC et al.*, No. 3:16-cv-1618 (D. Or. 2019)

Defended the validity of two patents related to mechanical shoe cushioning systems in inter partes review proceedings, which were brought by a defendant to a parallel patent infringement action. The Patent Trial and Appeal Board found that the petitioner failed to prove the challenged patents invalid. *Adidas America, Inc. et al. v. Skechers USA, Inc.*, No. 3:16-cv-01400 (D. Or. 2018)

Asserted a portfolio of patents on behalf of a national medical diagnostic and laboratory service provider resulting in favorable settlements. The patents related to pioneering inventions in the field of digital PCR. *Esoterix Genetic Laboratories et al. v. Myriad Genetics*, 1:16-CV-01112 (M.D.N.C. 2016)

Defended company against assertions of patent infringement over patents related to Bluetooth technology. Tried through jury verdict. *Fujifilm Corp. v. Motorola Mobility LLC*, 12-CV-03587 (N.D. Cal. 2015)

Defended a medical diagnostic company accused of infringing patents related to identifying breast cancer genes. Successfully invalidated patents in an MDL litigation, which was affirmed by the Federal Circuit. *In re BRCA1- and BRCA2-based Hereditary Cancer Test Patent Litigation*, MDL Case 2:14-MD-02510, 2:13-CV-01069 (D. Utah 2014)

Asserted a portfolio of patents related to digital sports and fitness tracking leading to a successful settlement on the eve of trial. *adidas AG v. Under Armour*, 14-CV-130 (D. Del. 2014)

Represented defendant against patents related to CMOS image sensors and image processing. *Imperium (IP) Holdings v. Motorola Mobility LLC*, 4:11-CV-00163 (E.D. Tex. 2013)

Represented communication company in a litigation involving a large number of patents directed to call processing software and interactive voice response units. The patents related to natural language processing, optimized storing and routing of data, and other call processing technology. *In re Katz Call Processing Litigation*, Case No. CV 2:07-ML-01816 (C.D. Cal. 2012)

Education

Case Western Reserve University J.D. (2000) *cum laude*

University of Michigan B.S. (1994) Cellular and Molecular Biology

Wake Forest University Post Baccalaureate Graduate Studies in Molecular Biology (1995) Post Baccalaureate Graduate Studies in Molecular Biology

Admissions

North Carolina (2008)

District of Columbia (2001)

Virginia (2000)

Court Admissions

U.S. District Court for the District of Columbia

U.S. District Court for the Eastern District of North Carolina

U.S. District Court for the Eastern District of Virginia

U.S. District Court for the Middle District of North Carolina

U.S. District Court for the Western District of North Carolina

U.S. Patent and Trademark Office

Professional & Community Activities

Local Patent Rules Committee (M.D.N.C.)

Insights

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Kilpatrick Attorneys Once Again Earn Outstanding Recognitions in 2027 Edition of The Best Lawyers in America®

August 20, 2026

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Once Again, Lawdragon Recognizes Kilpatrick Attorneys as Leaders in Global IP

July 14, 2026

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Kilpatrick Attorneys Earn 102 Rankings in 2026 Chambers USA and Global Guides

June 5, 2026

Events

Advanced Patent Law Seminar

February 12, 2026

Events

Ethics in Patent Law

August 5, 2025