

Laurie N. Stempler

Partner

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Laurie Stempler is a patent trial lawyer who has represented clients in offensive and defensive litigation. Her caseload has spanned a wide variety of technologies, including medical devices and diagnostics, pharmaceuticals, FPGAs, mobile phone hardware and software, and web applications. Ms. Stempler has represented clients in District Courts around the country, including California, Delaware, Indiana, Massachusetts, Michigan, New Jersey, New York, Pennsylvania, South Carolina, Tennessee, and Texas.

Ms. Stempler has significant bench trial and jury trial experience. She recently played an important role in IBM's first trial as patentee in decades, helping secure an \$82.5 million jury verdict on behalf of IBM. During the trial, Ms. Stempler examined IBM's damages expert and the named inventor who served as IBM's face witness. The two-week trial resulted in a finding of willful infringement on all four patents-in-suit.

Ms. Stempler has extensive experience managing all aspects of patent cases. For example, she has led pre-suit investigations, conducted intensive fact and expert discovery, streamlined issues for trial, and participated in successful settlement negotiations. She also frequently handles patent damages issues in her matters and has successfully defeated *Daubert* challenges to expert damages opinions offered on behalf of patent owners. In addition to her work in the courtroom, Ms. Stempler has counseled overseas institutions who are not familiar with U.S. litigation, including clients based in Finland, Germany, and Italy. She also advises clients on developing and licensing patent portfolios.

Ms. Stempler is active in the firm's recruiting efforts and in planning the summer associate program. She has also had the honor of representing U.S. veterans as a volunteer lawyer for the Veterans Consortium Pro Bono Program. Outside the firm, she participates in a formal mentoring program for students interested in a career in IP law.

Ms. Stempler's decision to pursue a career in patent law first developed through her undergraduate studies, where she earned a bachelor's degree in biological sciences – which also included coursework in chemistry, physics, and mathematics – that fed her desire to learn how things work. Her interest in law arose during her time at Random House, Inc. and Simon & Schuster,

EDUCATION

Brooklyn Law School, J.D., 2009, magna cum laude, Brooklyn Law Review, Managing Editor

Wellesley College, B.A., Biological Sciences and French, 2003, magna cum laude

ADMISSIONS

2010, New York

Inc., where she worked closely with in-house lawyers to negotiate publishing rights and draft agreements on behalf of the publishing houses.

Before joining Desmarais LLP, Ms. Stempler was an associate in the Intellectual Property Group of Willkie Farr & Gallagher LLP.

Court Admissions

- United States District Court for the Eastern District of New York
- United States District Court for the Southern District of New York
- United States District Court for the Northern District of Indiana
- United States Court of Appeals for the Federal Circuit
- United States Court of Appeals for Veterans Claims

Memberships & Affiliations

- New York City Bar Association
- ChIPs
- Women in Law Empowerment Forum

Other Distinctions

- New York Metro Rising Stars 2018
- New York Metro Rising Stars 2017
- New York Metro Rising Stars 2016
- New York Metro Rising Stars 2015

Representative Matters

- Represented IBM in patent infringement litigation against Groupon involving web applications, resulting in a verdict of willful infringement and award of \$82.5 million.
- Represented IBM against Priceline, Kayak, and OpenTable in patent infringement litigation involving web applications, resulting in favorable settlement.
- Represented Bonutti Skeletal Innovations LLC against several medical device companies in patent litigation involving methods of conducting orthopedic surgery and implanting orthopedic medical devices.
- Represented patent owner in patent infringement litigation involving chemical processes for manufacturing orthopedic implants.
- Represented Kinetic Concepts, Inc. in patent infringement and breach of contract action involving negative pressure wound care therapy.
- Represented MobileMedia Ideas LLC in infringement action involving mobile phone software functionality.
- Represented patent owner in patent infringement dispute involving field programmable gate arrays.
- Represented brand pharmaceutical company in Hatch-Waxman patent litigation involving ICU sedative.
- Represented teaching hospital and inventor in patent infringement action involving drug for treatment of lysosomal storage disease.

Publications

- “Desmarais LLP Secures \$82.5M Patent Win for IBM Over Groupon at Trial”
- “Desmarais LLP Finalizes Favorable Settlement for IBM to End Lawsuit Against Priceline”
- Kelsey Nix and Laurie Stempler, The Federal Circuit’s Interpretation and Application of the *MedImmune* Standard for Declaratory Judgment Jurisdiction, 19 Tex. Intell. Prop. L.J. 309, 331 (2011)
- Kelsey Nix and Laurie Stempler, Federal Circuit Ignites Interest in False Patent Marking Lawsuits, Metropolitan Corporate Counsel (Oct. 2010)
- Laurie Stempler, Point and Click to Protect Public Health: Taking Charge of Information Dissemination Over the Internet During a Public Health Emergency, 73 Brooklyn L. Rev. 1253, 1591 (2008)

Events

- April 2, 2018: Careers in Intellectual Property, Cybersecurity, & Data Privacy, Columbia Law School
- October 6, 2016: “Say What?” A Guide to Communicating in a Professional Legal Environment, Women in Law Empowerment Forum Young Lawyer’s Committee
- October 13, 2015: Diverse Careers in IP Law and Strategies for Achieving Success, NYIPLA