

## Kevin Hardy

### Partner

Williams & Connolly partner, Kevin Hardy, concentrates his practice on intellectual property and antitrust litigation, with a particular focus on matters at the intersection of those two areas. In recent years, he has played a leading role in multiple matters involving the licensing and enforcement of standard essential patents relating to wireless technology, and also has been involved in the firm's representation of pharmaceutical clients in so-called "pay-for-delay" and related cases. In these and his other matters, Kevin's trial practice includes representing clients before the U.S. district courts and the Patent Trial & Appeal Board, as well as in international and domestic arbitrations.

Over the course of his career, Kevin has represented clients in patent infringement and patent licensing cases involving a wide range of technologies, including smartphones, tablets, software products, computer networks, pharmaceuticals, and medical devices. In the antitrust arena, Kevin has represented clients in matters ranging from grand jury investigations to class actions brought in federal courts, with industry experience as varied as pharmaceuticals, agriculture, health care, and government contracting, among others.

Since 2014, Kevin has been recognized in *IAM 1000 – The World's Leading Patent Practitioners*, which has praised his "ability to identify, capture and clearly articulate the relevant legal issues in litigation and licensing negotiations," and described him as "a client favourite" who "is fast emerging as a star." The 2018 edition recognized him "for his expertise on standard-essential patents in the wireless field, and for his adroitness at the confluence of IP and antitrust law" and as "another of the outfit's stellar young partners."

A native of Wilmington, Delaware, Kevin received his B.A., with distinction in all subjects, from Cornell University and his J.D. from Columbia Law School, where he served as Special Issue Chair and Senior Editor of the *Columbia Law Review*. Prior to joining Williams & Connolly, Kevin served as a law clerk to Judge Walter K. Stapleton of the U.S. Court of Appeals for the Third Circuit.

### Representative Experience

- Serving as co-lead counsel in a major international patent licensing arbitration, which was tried before a three-member panel in 2015, relating to standard essential patents and products with billions of dollars in revenue



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### Education

Columbia Law School, J.D., 1999:  
Special Issue Chair and Senior Editor, *Columbia Law Review*;  
Harlan Fiske Stone Scholar, 1996-99; James A. Elkins Prize  
Cornell University, B.A., with distinction, 1996

### Practice Focus

Antitrust  
First Amendment and Media  
Patent Litigation

### Recognitions

*IAM 1000, the World's Leading Patent Practitioners*, 2014-2019

### Admissions

District of Columbia  
Maryland  
United States Court of Appeals for the District of Columbia, Fourth, Eleventh, and Federal Circuits  
United States District Court for the District of Columbia, District of Maryland, District of Colorado and Western District of Michigan

- Serving as lead counsel in an international arbitration regarding alleged breach of a patent license agreement, which was tried before a three-member panel in 2017
- Serving as co-lead counsel for a major technology in a two-week trial before the U.S. International Trade Commission in a case involving the enforcement and licensing of standard essential patents related to cellular technology
- As lead counsel for Google in a variety of patent matters, both in federal court and before the PTAB, addressing or currently litigating issues related to digital image storage and transmission, voice control of computers, photo tagging technology, and online search
- For multiple pharmaceutical clients, including Alcon and MedImmune, asserting patents in cases arising under the Hatch-Waxman Act
- Representing one of the nation's leading agricultural cooperatives in a series of class action lawsuits involving claims of alleged price fixing, monopolization and monopsonization

## Resources

### Publications

- *Kevin Hardy and Samuel Davidoff Author "Justice Dept. IP Shift Favors Licensors"*, December 2017
- *Resolving Patent Disputes: Are Regulators Right to Recommend Arbitration?*, March 2017
- *Invasion of the Privacy Act: How Recent Interpretations Threaten Confidential Sources*, 2007

### Presentations

- *Kevin Hardy Moderates Panel at IAM Patent Law & Policy Conference*, November 2018
- *Factors Affecting Success of Motions to Stay District Court Litigation Pending Inter Partes Review and Covered Business Method Review*, October 2016