

Darren E. Donnelly

PRINCIPAL
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San Francisco, CA | 650.461.7735
ddonnelly@polsinelli.com



Darren Donnelly represents clients in patent and other technology and intellectual property disputes. Leveraging 20 years of experience in all aspects of complex patent litigation and counseling, he leads diverse teams in the U.S. District Courts, before the PTAB, and at the Federal Circuit. Darren has experience representing both plaintiffs and defendants in Section 337 proceedings before the International Trade Commission, including experience with the ITC's remote hearing and other practices during its current COVID-19 building closure. Clients appreciate his understanding of their businesses, grasp of complex technical and legal issues, and ability to present successful strategies and guidance from them in clear, understandable terms. He has done significant work for early stage start-ups up to the largest public technology companies across technologies ranging from cryptographic circuit and algorithm designs, computer gaming and in-game social networking technologies, and satellite remote sensing, to "big data" management and processing applications, cloud storage implementation technologies, bioinformatics, polymer materials, and numerous computer and Internet end-user applications. Darren also counsels clients in connection with investment, M&A and other transactions, provides risk evaluation and mitigation in pre-litigation disputes, and advises on strategic patent portfolio development and defensive positioning. He presents frequently on legal issues and is regularly sought by the media for perspective on developments in patent law and practice.

Notable representations that Darren has had include:

- Trial counsel for medical device manufacturer in ITC investigation against major competitor, obtaining a settlement removing accused products from the market.
- Served as a trial counsel for leading e-commerce and web service company, winning a defense verdict before a Delaware jury that found two of three patents not infringed and the one remaining patent Invalid.
- Served as a trial counsel for an enterprise software company winning a \$25 million jury award in its parent suit against key competitor.
- Obtained first successful opposed Motions to Amend before the PTAB for patents involved in competitor litigation
- Defended a video streaming service, where, after transferring the case from a "rocket docket" to a more favorable venue, Darren convinced the court to stage the case to allow accelerated, and ultimately successful, summary judgment of non-infringement

Capabilities

- Patent Litigation
- Intellectual Property
- International Trade Commission Section 337 Litigation

with minimal discovery.

- Represented a California-based cryptography research company in a watershed case for the secure smart card industry, where company asserted eight fundamental patents covering differential power analysis countermeasure against major financial services corporation. This corporation settled on terms very favorable to the client.
- Defended an American video game company in a patent infringement suit accusing the play-calling AI in Madden NFL Football. The Plaintiff abandoned the suit before discovery when we demonstrated the clear invalidity of the patent-in-suit.
- Defended an American video game company in a patent infringement suit involving board game applications for mobile devices. The case settled on very favorable terms.
- Defended a developer of instant messaging services for gamers in a patent infringement suit accusing them of infringing on in-game messaging and social networking features. Worked with the Director of USC's GamePipe Laboratory to demonstrate non-infringement of the accused technology and the matter settled shortly thereafter.
- Provided litigation risk assessment to buyer in multi-billion dollar acquisition of security software and SaaS company.
- Advise underwriters in multiple \$100M+ IPOs.
- Advise mobile payments company in litigation throughout \$200M acquisition.
- Defended firewall software and hardware supplier in complex patent litigation against global telecommunications company to obtain very favorable settlement after implementing aggressive counterclaim strategy.

Education

- Santa Clara University School of Law (J.D., 1997)
- Stanford University (M.S., 1994)
 - Engineering-Economic Systems
- Stanford University (B.A.S., 1994)
 - Mathematical and Computational Science and Economics

Bar Admissions

- California
- Admitted to practice before the United States Patent and Trademark Office

Memberships

- ABA Administrative Law Section
- ABA Intellectual Property Law Section
- Subcommittee Chair of the USPTO Post Grant and Inter Partes Practice Committee
- Association for Computing Machinery (ACM)
- Federal Circuit Bar Association
- IEEE Communications Society
- IEEE Computer Society
- IEEE Photonics Society
- Intellectual Property Owners Association (IPO)
- International Trade Commission Trial Lawyers Association (ITCTLA)
- PTAB Bar Association
- State Bar of California

Recognition

- Selected for inclusion in *Best Lawyers in America*® for Litigation - Intellectual Property, 2025-2026

