

Daily Journal

APRIL 2, 2025

TOP INTELLECTUAL PROPERTY LAWYERS 2025



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Mark Selwyn has practiced intellectual property law for 30 years, beginning his career without formal patent education. “Candidly, I doubt I even saw a patent in law school — there were no patent courses offered then at Columbia Law School,” he said.

His path to IP specialization stemmed from three motivations: continuous learning about new technologies, opportunities for complex trials before respected judges and the collaborative environment within his litigation group.

Early in his career, Selwyn had an office adjacent to Jerry Facher, the attorney

portrayed by Robert Duvall in “A Civil Action.” This proximity proved formative for his professional development.

“Jerry was a brilliant lawyer, a role model and an inspiration,” Selwyn reflected. “For me, as well as for generations of lawyers at the firm, Jerry taught the craft of lawyering.”

Facher’s influence continues at WilmerHale, where attorneys facing difficult decisions still ask themselves, “What would Jerry do?”

Selwyn’s cases typically share common characteristics — they extend over long periods and operate across multiple dimensions. These matters frequently involve international courts, substantial motion practice, numerous depositions and trials.

The challenges Selwyn confronts include complex technology and vast evidence collections. “One common obstacle in many of my cases is complex technology and often a huge amount of evidence — tons of depositions, millions of pages of documents, source code, and more,” he explained.

In November 2024, Selwyn served as one of Apple’s lead attorneys in Masimo’s trade secret misappropriation and patent ownership retrial in California’s Central District. *Masimo Corp. et al. v. Apple Inc.*, 8:20-cv-00048 (C.D. Cal., Jan. 9, 2020).

He conducted witness examinations and argued numerous motions throughout 2024, including Markman hearings on Masimo’s patent claims. The retrial is ongoing.

During the original 2023 trial, Selwyn led Apple’s defense against Masimo’s business secrets claims, securing a significant victory when Judge James Selna dismissed half of Masimo’s case, eliminating more than \$1 billion in claimed damages.

For six years, Selwyn also spearheaded Apple’s global defense against Optis Wireless, which alleges patent infringement related to LTE cellular standards. This litigation continued making headlines in 2024 due to developments in both the Eastern District of Texas appeal and UK proceedings.

Looking forward, Selwyn observes the evolution of his field. “IP law continues to become more international and more interdisciplinary — and that trend will surely accelerate,” he said.

As global interconnection and technological convergence increase, IP attorneys must develop broader knowledge of international IP laws, procedures, and remedies, Selwyn said. This expanding scope positions intellectual property practice at the intersection of global commerce and innovation, he added.