



## Cynthia D. Vreeland

PARTNER

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BOSTON

+ 1 617 526 6148

CYNTHIA.VREELAND@WILMERHALE.COM

Cindy Vreeland is a nationally recognized litigator with more than 30 years experience litigating a range of high-stakes disputes, with a particular focus on patent and trade secret litigation. She has served as lead or co-lead counsel in more than 20 trials, successfully trying cases in technologies ranging from wireless devices, semiconductor chips and computer storage, to medical devices, superconducting materials and pharmaceuticals. Ms. Vreeland's work earned her a spot as one of only two IP litigators selected by *Law360* for its inaugural list of "Top Female Trial Attorneys." She was twice named as the Boston Patent Lawyer of the Year by *Best Lawyers in America* (2024, 2022), and has been recognized by *Chambers USA*, *Managing IP*, *IAM Patent 1000* and *Boston Magazine* for her intellectual property litigation practice.

Ms. Vreeland also maintains an active pro bono practice, including precedent-setting representation of human trafficking victims. Ms. Vreeland led the team that successfully represented pro bono client Lisa Ricchio in the first civil sex trafficking case filed against a motel under the Trafficking Victims Protection Act (TVPA). The case received significant media attention and set several important precedents under the TVPA, making it possible for trafficking victims across the United States to file similar suits. *The National Law Journal* recognized Ms. Vreeland as a "Plaintiffs' Lawyers Trailblazer" for her work on behalf of Ms. Ricchio, and the Human Trafficking Center named the Ricchio team its "Litigation Team of the Year" for 2020.

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## Solutions

Antitrust Litigation

Intellectual Property Litigation

Life Sciences

Intersection of Antitrust and IP

Litigation

Trials

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## Experience

### INTELLECTUAL PROPERTY LITIGATION

- ***Intellectual Ventures v. EMC***: Secured a complete victory for EMC in a lawsuit filed by Intellectual Ventures in the District of Massachusetts. IV, a notorious patent monetization entity, asserted six patents against a broad swath of EMC products. We filed and won five IPRs at the Patent Office, successfully invalidating all asserted claims for four of the patents. We subsequently won a summary judgement of invalidity for the last remaining claim of the fifth patent (asserted after our IPR) and a summary judgement of non-infringement for the last patent, along with two related Federal Circuit appeals. The case has since been the subject of several articles focusing on our use of collateral estoppel to leverage a Patent Office IPR decision.
- ***PersonalWeb v. EMC and VMware***: Secured a complete victory for EMC and VMware after more than eight years of litigation. PersonalWeb initiated this suit in the Eastern District of Texas claiming infringement of a portfolio of patents by most of the major cloud computing companies. EMC and VMware were the only companies in the first round of defendants to file IPRs. We convinced the Eastern District of Texas to transfer the case to California, and the California court to stay the case pending our IPRs. The PTAB subsequently invalidated all challenged claims of all six challenged patents, and the Federal Circuit affirmed. PersonalWeb subsequently agreed to drop a seventh patent. The final win came with the judge's ruling that the only remaining patent was invalid under Section 101 because it did not claim patent-eligible subject matter and the Federal Circuit's affirmation of this ruling.
- ***Wireless Technology***: Secured a complete victory for a major wireless company in a series of lawsuits filed by a non-practicing entity funded by Nokia and Microsoft. In the first case, filed in the Eastern District of Texas, the plaintiff initially asserted 14 patents purportedly essential to wireless industry standards but later dropped nine (based on our substantial defenses). After a six-day jury trial, the jury found that each of the five remaining patents was not infringed. The final outcome, in which the plaintiff failed to win on any of its 14 asserted patents—all allegedly standard-essential and FRAND-committed—may have set a record in the Eastern District of Texas for the number of patents on which a defendant prevailed in a single case. The second case—transferred to the Northern District of California—asserted five patents. The plaintiff dropped three of the patents prior to trial. One of the two remaining patents was ultimately found not infringed, and the last one was found unenforceable because of Nokia's standards misconduct. The third case was ultimately resolved. In sum, in eight years of litigation, the plaintiff asserted 25 patents against our client and prevailed on none.
- ***TransData v. CenterPoint and Itron***: Secured a favorable settlement for CenterPoint and its supplier, Itron, in the Eastern District of Texas. We took over defense of the case, which alleged infringement of a patent relating to "smart" electrical meters, approximately one month before trial, identified a document corroborating that Itron had developed a prior art product that predated the asserted claims, and then won a motion to supplement our invalidity defenses to add this product to the case as anticipatory prior art. The case settled favorably, on the eve of trial, soon after we won the motion.
- ***Cree v. SemiLEDs***: Led a set of related cases for Cree in the District of Delaware alleging infringement of eight Cree patents relating to LED chips. We secured a

favorable settlement including an agreed injunction prohibiting the importation and sale of SemiLEDs' accused products in the United States and a payment for past damages.

- ***Delano Farms v. California Table Grape Commission***: Served as co-lead counsel for the California Table Grape Commission in a trial in the Eastern District of California challenging the validity of patents covering two of the commission's top selling grape varieties. The court upheld the validity of both of our client's patents.
- ***Uniloc v. Rackspace***: Served as co-lead counsel for Rackspace in a suit in the Eastern District of Texas alleging infringement of a Uniloc patent relating to floating point numbers. The court granted our motion to dismiss the complaint on the ground that the asserted claim was not patentable under 35 U.S.C. § 101, in a ruling recognized by *Am Law Daily* as a "rare" win in East Texas. Rackspace believes that this was the first time the Eastern District of Texas granted an early motion to dismiss under Section 101.
- ***Yahoo v. Facebook***: Represented Facebook in a major patent battle with Yahoo, after Yahoo initiated a lawsuit in the Northern District of California claiming infringement of 10 Yahoo patents. We assisted in mounting a full-scale defense, including a counterclaim for infringement of 10 Facebook patents, described by *TechCrunch* as a "masterful response to Yahoo's patent trolling." The parties reached a highly favorable settlement three months later, recognized by *Business Insider* as "a win" for Facebook.
- ***Medtronic v. Globus***: Served as lead counsel for Medtronic in a three-week jury trial in the Eastern District of Pennsylvania relating to minimally invasive spinal surgery. The jury found that each of the two patents asserted by our client was valid and infringed.
- ***Broadcom v. Qualcomm***: Served as co-lead counsel for Broadcom in a four-week jury trial in the Central District of California, winning a verdict finding that Qualcomm infringed three Broadcom patents relating to wireless networks and push-to-talk applications. Broadcom claimed that key features offered on certain Qualcomm wireless-communications computer chips infringed its patents. The jury agreed that each of the asserted patents was valid and infringed. The Federal Circuit affirmed the decision and upheld the permanent injunction. The broader dispute between the parties subsequently settled for more than \$890 million.
- ***In re. Audio Digital-to-Analog Converters and Products Containing Same***: Served as co-lead counsel for Wolfson Semiconductor in a two-week trial before the US International Trade Commission (ITC) relating to digital-to-analog circuits. The ITC found the primary patent asserted against our client unenforceable because the inventors failed to disclose highly material prior art to the Patent Office with the intent of deceiving the Patent Office.
- ***Fonten v. Ocean Spray***: Served as lead counsel for Ocean Spray in a two-week jury trial in the District of Massachusetts relating to the marketing of fruit juice products. The jury agreed that our client did not breach a contract between the parties.
- ***EMC v. Hewlett-Packard***: Served as co-lead counsel for EMC in a three-week jury trial in the District of Massachusetts relating to computer storage devices. The jury found that each of the three patents asserted by our client was valid and infringed. The broader dispute between the parties subsequently settled for more than \$325 million.
- ***Schwarz-Pharma v. Braintree***: Served as co-lead counsel for Braintree in a two-week trial in the District of Delaware relating to gastrointestinal product. The court

rejected IP-related antitrust claims against our client.

- ***In re. Certain Microlithographic Machines***: Served as co-lead counsel for in a five-week trial before the ITC in a suit filed by its chief rival, Nikon. At issue was approximately \$1.8 billion in annual sales in the market for photolithographic equipment. The ITC found that each of the seven patents asserted against our client was not infringed, invalid and/or unenforceable because of the inventors' inequitable conduct.
- ***American Superconductor v. MIT***: Served as co-lead counsel for American Superconductor in the trial of a "patent interference" proceeding relating to high-temperature superconducting materials. The Patent Office intervened in the suit to defend its decision. We successfully reversed the Patent Office's finding that a patent owned by our client, and a patent application exclusively licensed to it, "interfered."

#### ANTI-TRAFFICKING AND PUBLIC INTEREST LITIGATION

- ***Ricchio v. Shangri-La Hotel***: Secured a precedent-setting outcome for pro bono client Lisa Ricchio in a sex trafficking case under the Trafficking Victims Protection Act (TVPA). Ms. Ricchio was lured from her home by a lifelong pimp and registered sex offender, who ultimately was convicted and went to prison for his crimes against her. After the criminal trial, we represented Ms. Ricchio in the first civil lawsuit against a hotel or motel under the TVPA. We reached a highly favorable settlement on the second day of trial, following opening statements and powerful testimony from Ms. Ricchio. The case had significant implications not just for our client, but for the law governing hotel/motel liability under the TVPA. We won a groundbreaking precedent from the First Circuit, confirming that hotels/motels can be held civilly liable when they turn a blind eye to trafficking. Following this case, we have seen a series of similar suits filed across the country.
- ***Doe v. Choice Hotels***: Represented nine Atlanta-based survivor support organizations in an amicus brief urging a broad interpretation of the federal Trafficking Victims Protection Act. The Eleventh Circuit accepted the position that we urged.
- ***Commonwealth v. Fan***: Represented two Massachusetts-based survivor support organizations in an amicus brief urging a broad interpretation of the Massachusetts anti-trafficking statute. The Massachusetts Supreme Judicial Court accepted the position that we urged.
- ***Wild v. U.S. District Court for the District of Florida***: Represented ECPAT-USA in an amicus brief urging the U.S. Supreme Court to grant certiorari in a case denying Jeffrey Epstein's victims the right to challenge an early secret plea deal under the Criminal Victims' Rights Act.
- ***Bacon v. City of Richmond***: Secured a significant settlement with the City of Richmond under the Americans with Disabilities Act ensuring that the public schools in Richmond would be made accessible to persons with disabilities. At the time we filed this case, at least 56 of the 60 Richmond schools had architectural defects that prevented children, parents, and teachers with disabilities from participating in activities at the schools.

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## Recognition



### ***Leading Lawyer for Intellectual Property***

*Chambers USA*

2022–2023



### ***Boston Patent Litigation Lawyer of the Year***

*Best Lawyers in America*

2022 & 2024



### ***Plaintiffs' Lawyers Trailblazer***

*The National Law Journal*

2020

- Twice named the Boston Patent “Lawyer of the Year,” awarded to the individual lawyer with the highest overall peer feedback, in the 2022 and 2024 editions of *Best Lawyers in America*.
- Named in the 2022–2023 editions of *Chambers USA Guide* in Massachusetts for intellectual property.
- Selected by peers for inclusion in the 2013–2024 editions of the *Best Lawyers in America* in the areas of intellectual property litigation and patent litigation, cited by a client as “one of the best patent litigators in the country” and as “a person you would trust with a bet-the-company kind of case.”
- Named to *Boston Magazine’s* Top Lawyers list in 2021 in the area of civil litigation/defense and in 2022 and 2023 in the area of intellectual property rights.
- Named among the 2018–2019 Top 250 Women in IP and selected as a 2013–2023 IP Star by *Managing IP*, a guidebook that identifies leading IP lawyers in the United States.
- Named a 2013–2023 leading practitioner by *IAM Patent 1000: The World’s Leading Patent Practitioners*.
- Named to *The National Law Journal’s* 2020 “Plaintiffs’ Lawyers Trailblazers” list for her representation of sex trafficking victim Lisa Ricchio.
- Named a “Massachusetts Super Lawyer” in 2006–2019 and 2021–2023 for intellectual property litigation; also named among Super Lawyers’ “Top Women Attorneys in Massachusetts” in 2013, 2016 and 2017 and the “Top 50 Women Attorneys in Massachusetts” in 2015 for intellectual property litigation.

- Named a fellow of the Litigation Counsel of America, a trial lawyer honorary society composed of less than one-half of one percent of American lawyers.
- Recommended in the 2018 edition of *The Legal 500 United States* for intellectual property: patent litigation: full coverage.
- Recognized among the 2015 Top Women of Law by *Massachusetts Lawyers Weekly*.
- Recognized by *Texas Lawyer* when the publication selected client Apple's success in *Core Wireless Licensing v. Apple* as a Top IP Defense Win in 2015 in their Top Texas Verdicts & Settlements supplement.
- Selected as one of *Lawdragon Magazine's* "500 Leading Lawyers in America" in 2013.
- One of two IP litigators selected by *Law360* for its inaugural 2012 list of Top Female Trial Attorneys.
- Named to the Lawdragon 500 Leading Litigators in America list.

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## Credentials

### EDUCATION

JD, University of Chicago Law School, 1990

*with honors*

BA, Baylor University, 1987

*summa cum laude*

### ADMISSIONS

Massachusetts

Texas

### CLERKSHIPS

The Hon. Patrick Higginbotham, US Court of Appeals for the Fifth Circuit, 1990 - 1991