



Matthew R. McCullough

Of Counsel

Silicon Valley
+1 650-858-6453

Matt has a background in computer engineering, and focuses his practice on representing clients in complex patent litigation covering a broad range of technologies in both federal court and in Section 337 investigations before the International Trade Commission.

Matt concentrates his practice on intellectual property litigation, with an emphasis patent litigation and *inter partes* review. He has experience representing clients in a wide variety of industries and technologies, including cloud-based software, video game systems, data compression and management, mobile devices, garage door operators, and other consumer products.

Matt has experience working directly with clients to prepare litigation strategies and prepare witnesses for hearings and depositions. He has represented clients by taking and defending fact and expert depositions, and has successfully argued motions, including discovery and claim construction motions.

In addition to patent litigation, Matt assists clients with trade secret litigation and intellectual property due diligence.

Prior to joining Winston, Matt practiced for two and a half years at an *Am Law* 100 firm concentrating on patent litigation.

Recent Experience

Winston Achieves Historic No-Damages Summary Judgment for Microsoft in Patent Case

Recognitions

- *Am Law Litigation Daily* “*Litigator of the Week*” —Recognized for a patent litigation win for Microsoft (September 6, 2024)
 - *Best Lawyers: Ones to Watch® in America*—Recognized for Litigation - Intellectual Property (2023–2025)
 - *Best Lawyers: Ones to Watch® in America*—Recognized for Intellectual Property Law (2024–2025)
-

Credentials

EDUCATION

Matt received his BSE in computer engineering, *summa cum laude*, from the University of Michigan in 2011. He received his J.D. from Harvard Law School in 2014, where was a submissions manager for the *Harvard Journal of Law & Technology*.

ADMISSIONS

- California

Related Insights & News

- Co-Author, “The Patent Protection Conundrum Facing Producers of AI-enabled Software as Medical Devices,” *MedCity News*, June 2019.
 - Co-Author, “Four Changes to Patent Litigation Post-‘TC Heartland,’” *The Recorder*, October 2017.
-

BLOG

Judge Pitman Grants Summary Judgment of No Damages After Excluding Plaintiff’s Expert Damages Testimony
SEPTEMBER 18, 2024

RECOGNITIONS

Winston Team Receives Shout Out in Litigator of the Week Column
SEPTEMBER 6, 2024

RECOGNITIONS

Winston Attorneys Recognized in *Best Lawyers: Ones to Watch® in America* 2025
AUGUST 15, 2024

RECOGNITIONS

Winston Attorneys Recognized in *Best Lawyers: Ones to Watch® in America* 2024

AUGUST 17, 2023

NEWS

2022 Pro Bono Impact Report

MAY 1, 2023

RECOGNITIONS

Winston & Strawn Attorneys Recognized in *Best Lawyers: Ones to Watch in America* 2023

AUGUST 18, 2022

PRO BONO IN ACTION

Winston's Silicon Valley Office Hosts Pro Bono Clinic For California Fire Camp Participants

DECEMBER 8, 2021

CLIENT ALERT

Federal Circuit Affirms Summary Judgment of Non-Infringement Because Patentee Failed To Authenticate Third-Party Source Code

MAY 26, 2021

CLIENT ALERT

Intent for Induced or Willful Infringement Is Based on Defendant's Actual State of Mind, Not Objective Test

NOVEMBER 24, 2020

CLIENT ALERT

IPR Petitions Are Limited to Combinations Presented by Petitioner; IPR Challenge May Properly Rely on "General Knowledge" of a Skilled Artisan and Admissions in the Challenged Patent

JANUARY 30, 2020

CLIENT ALERT

Reexamination Estoppel Under § 317 Applies Once Validity Is Finally Decided by Federal Circuit Even if Other Issues Remain Alive

AUGUST 2, 2019

ARTICLE

The Patent Protection Conundrum Facing Producers of AI-enabled Software as Medical Devices

JUNE 17, 2019

Capabilities

Patent Litigation

ITC – Section 337

IP Licensing & Due Diligence

Trade Secrets, Non Competes & Restrictive Covenants

Intellectual Property

Public Companies

Media & Entertainment

Technology, Media & Telecommunications