Supplement to the Los Angeles and San Francisco
Daily Journal
JUNE 10, 2026

TOP WOMEN LAWYERS 2026



MICHELLE YBARRA

KEKER, VAN NEST & PETERS

SAN FRANCISCO

INTELLECTUAL PROPERTY

Michelle Ybarra traces her path to the law back to her grandparents, farmers who never finished high school and knew lawyers only from television.

"From my earliest childhood days, I remember them telling me I should be a lawyer because I always had a sassy retort," she said. That early encouragement pointed her toward litigation, and nearly 18 years into her career, Ybarra is a partner whose practice sits at the intersection of IP law and the technologies reshaping it.

Her interest in IP took hold at the University of Chicago Law School, where debates over emerging technologies raised questions about whether existing legal doctrine could keep pace or whether new frameworks were required. Those conversations shaped how she approaches her work today: as a problem of translation as much as law. "My job is not just to understand the technology, but translate it into clear arguments the courts and a jury can engage with — in other words, effective storytelling," Ybarra said.

That skill has been tested across a range of consequential matters. One recent case involved representing Shanghai Moonton Technology, a Chinese video game developer, in a copyright and trademark suit brought by Riot Games over League of Legends. "Rather than proceeding through costly and protracted merits litigation in the United States, we moved to dismiss on forum non conveniens grounds, arguing that the dispute should be litigated in China, where related proceedings involving Riot's parent company, Tencent, were already pending." The court agreed and dismissed the case. *Riot Games, Inc. v. Shanghai Moonton Technology Co. Ltd.*, 2:22-cv-3107 (C.D. Cal., filed May 9, 2022).

In patent litigation, Ybarra led the defense of Instacart against four patents targeting core aspects of the platform. The district court stayed the case pending inter partes review; in February 2024, the PTAB invalidated all challenged claims, and the Federal Circuit affirmed in 2026. Every asserted claim was canceled. (*Consumeron, LLC v. Maplebear Inc.* d/b/a Instacart, 21-1147 (D. Del., filed Aug. 6, 2021).

The matter that has come to define this period of her career is the ongoing copyright MDL against OpenAI. In re: OpenAI Copyright Infringement Litigation, 25-MD-3143 (S.D.N.Y., filed April 11, 2025).

"The cases raise fundamental questions about how existing legal frameworks apply to foundational model training, transformative use, and one of the most consequential technologies of our time," Ybarra said. She has played a leadership role in the litigation for two years, developing arguments at a scale that requires coordination across numerous related actions and a demanding briefing schedule.

The broader challenge her practice reflects is one she sees across the California IP landscape. "In California especially, where many of the world's leading technology companies and content creators are based, those tensions are particularly acute," Ybarra said.

She added that litigation remains a tool for rights holders, but slow and expensive — and rights holders are navigating a mix of litigation and evolving business strategies while the law develops in parallel.

Reprinted with permission from the *Daily Journal*. ©2026 Daily Journal Corporation. All rights reserved. Reprinted by ReprintPros 949-702-5390.