Intellectual Property Law

In today’s economy, a company is often defined in the global marketplace by its success in procuring, managing and enforcing its intellectual property.

Perkins Coie’s IP practice combines the focus and flexibility of a boutique firm with the complementary services of one of the world’s leading technology law firms. Our internationally recognized practice consists of more than 250 attorneys and agents who provide innovative, comprehensive counsel at every stage of IP protection and development, including patent litigation and appeals, post-grant proceedings, patent prosecution, portfolio counseling and technology licensing, as well as copyright, trademark, trade secret and unfair competition counseling and litigation.

Over 175 of our attorneys and other professionals have degrees in electrical engineering, computer science and life sciences-related fields, and many of our attorneys previously worked as scientists, engineers or in-house counsel. We have built a premier practice by immersing ourselves in our clients’ technologies and industries, and clients benefit from our interdisciplinary approach to matters. Our IP team is highly skilled at analyzing technology, with the experience and issue-specific backgrounds to master complex scientific issues.

COMMITMENT TO PRACTICE INNOVATION

We are an industry leader in developing technology-focused solutions to better serve our clients, including proprietary patent tools and portfolio analytic capabilities. Our award-winning tools, which provide clients greater visibility into data about our legal work, include Portfolio Dashboard, a cloud-based platform that allows clients real-time access to their patent portfolio data, increasing client control and reducing overall management costs, and P4, a custom workload management system that aggregates and cleanly displays matter status, deadlines and progress toward budget information in real time.

Portfolio Dashboard. With our proprietary Portfolio Dashboard, clients gain real-time access to their patent portfolio data and an easier report generation process, reducing overall management costs. Designed to put more power into the hands of our clients and help corporate management easily assess patent portfolio status and track portfolio progress, the dashboard pulls and presents data in a variety of simple-to-use graphs and reports.

Perkins Coie Patent Prosecution Platform (P4). Our custom workload management system focuses on managing large-scale patent prosecution portfolios effectively and efficiently. The streamlined, web-based tool aggregates and displays data from our docketing, time entry and billing systems in real time.


PATENT LITIGATION AND APPEALS

Perkins Coie regularly represents clients in high-stakes patent matters around the country. Our team litigated over 250 patent cases during the past two years, with achievements that include outright wins on motions to dismiss, summary judgments, and bench and jury trials. Additionally, we have resolved disputes through the negotiation of many favorable settlements. Our patent enforcement and defense experience spans the major centers of district court litigation as well as the U.S. International Trade Commission (ITC) and U.S. Patent Trial and Appeal Board (PTAB).

When cases go up on appeal, we have a winning record representing clients in high-stakes patent appeals before the Federal Circuit. Our practice includes several former Federal Circuit law clerks as well as the former Solicitor and Deputy General Counsel for Intellectual Property Law at the U.S. Patent and Trademark Office (USPTO). Our industry-shaping wins have garnered us recognition from Law360 as an appellate “Practice Group of the Year” in 2018, and as one of the firms that “dominated” in patent cases decided by the Federal Circuit the past three years in a row, ranking number one for win percentage (85 percent) and third in total victories in 2018.

In addition to our comprehensive patent litigation experience, clients benefit from access to the sophistication of an Am Law 50 national litigation law firm known for achievements in antitrust, unfair trade practices, product liability, trade secrets, copyright, trademark, international trade and other areas of law.
PATENT PROSECUTION AND PORTFOLIO COUNSELING

Perkins Coie has market-leading capabilities in patent portfolio counseling and prosecution, with more than 100 USPTO-registered patent attorneys and agents. Our investment in clients has allowed us to become authorities in numerous cutting-edge technologies. We leverage knowledge of caselaw and industry trends to draft quality patents and develop strategic patent portfolios that can better withstand future challenges and are also attractive to potential buyers and licensees. Our attorneys have filed over 8,400 new patent applications in the past two years on behalf of our clients and are skilled in navigating patent offices worldwide.

We are also one of the most experienced firms in patent-based transactions and have been at the forefront of the patent marketplace for the past decade, facilitating hundreds of millions of dollars of patent purchases or sales for clients. We have a dedicated in-house patent analysis team that utilizes multiple third-party software services to help deliver outstanding portfolio analysis results, guided by our significant experience helping clients identify monetization opportunities.

POST-GRANT PROCEEDINGS

With one of the largest patent legal teams in the United States, Perkins Coie routinely advises clients looking to the America Invents Act’s post-grant procedures and invalidity trials to protect or challenge patents. We have one of the most active and successful PTAB practices in the country with a deep bench of tested, high-performing patent litigators and prosecutors who have appeared as counsel of record in more than 350 IPRs and other post-grant proceedings on behalf of petitioners and patent owners. We have represented clients since the earliest days of IPR proceedings, accumulating a winning track record.

Our forward-thinking advice reflects our experience, our research from tracking decisions and other data, and our in-depth training programs for our attorneys and clients. Our practice includes the former Solicitor and Deputy General Counsel for Intellectual Property Law at the USPTO who also acted as the USPTO’s Chief Administrative Patent Judge in charge of the PTAB.

TRADEMARK, COPYRIGHT, INTERNET & ADVERTISING

Perkins Coie works closely with clients to identify and protect the integrity of their brands and distinguish clients from competitors. We help clients develop strategies and programs, identify and perfect IP rights, and assert or defend these rights. With more than 50 attorneys located in key markets throughout the United States and China, we have extensive experience in all areas of U.S. and international trademark prosecution, counseling, enforcement and litigation.

Our attorneys carefully manage more than 30,000 trademark filings and registrations for more than 950 clients in 180 countries across many industries. We have registered more than 3,300 trademarks in the last two years alone. We protect and enforce copyrights through registration, counseling and agreements, regularly representing authors, artists, companies and other organizations in the arts, entertainment and sports industry, as well as clients in many other technologies and industries.

We have extensive experience litigating trademark, copyright, trade dress, dilution, unfair competition, false advertising, false endorsement, domain name, gray market, and anti-counterfeiting and trade secret claims in courts across the country.

In addition, our attorneys help clients develop and implement IP investigation and enforcement programs, and we are frequently recognized for our capabilities and experience in the internet governance and ICANN space. We also assist in-house legal and marketing teams in planning for and executing advertising, marketing and promotional campaigns that comply with complex and rapidly changing state and federal laws and defend companies accused by consumers, competitors or regulatory agencies of violating these laws.

Our China IP practice has deep experience supporting multinationals with the registration, prosecution, maintenance and enforcement of IP rights in China. This group assists clients across diverse industries with the enforcement of rights to trademarks, copyright, patents and trade secrets before China’s administrative agencies and the People’s Courts. The team regularly supports clients in high-profile IP litigation matters and advises clients on privacy, cybersecurity, internet and other regulatory matters in China.

OUR INTELLECTUAL PROPERTY PRACTICE HAS GARNERED SIGNIFICANT RECOGNITION, INCLUDING:

- Named by Law360 as one of the top “Firms That Dominated the Federal Circuit” for the third year in a row, ranking number one for win percentage (85 percent) and third in total victories in 2018
- Named one of the top seven firms that general counsel look to hire for IP litigation, according to BTI Litigation Outlook 2019, an annual analysis of the legal landscape by BTI Consulting Group
- Recognized as a leader in “Innovation in Business of Law” for our patent portfolio tools P4 and Portfolio Dashboard by the Financial Times
- Ranked third for gender diversity in our IP practice in the 2018 Inclusion Blueprint Survey by ChIPs and the Diversity Lab
- Named by Law360 as having an appellate “Practice Group of the Year” in 2017
• Ranked among the leading firms globally, nationally and regionally for Intellectual Property: Patent by Chambers
• Ranked nationally for patent litigation and prosecution, trademark law, post-grant proceedings, ITC litigation and life sciences in the U.S. and for trademark law in China by Managing IP
• Ranked fifth among the most active national firms representing PTAB petitioners in 2018 by Lex Machina
• Ranked fourth among national firms handling patent defense cases in 2018 per Docket Navigator
• Ranked nationally and regionally in World Trademark Review 1000, The World's Leading Trademark Professionals
• Ranked as having a leading China trademark practice by the China Business Law Journal

SEE MORE ACCOLADES
• Ranked fourth among national firms handling patent defense cases in 2018 per Lex Machina
• Named among the top five startup law firms nationwide hired for IP and other services per Kruze Consulting
• Named the most-hired firm by America's largest companies for IP litigation in 2017 by Corporate Counsel
• Named the U.S. News - Best Lawyers® "Law Firm of the Year" in Patent Law three times
• Ranked nationally and regionally for patent prosecution and litigation by Intellectual Asset Management
• Ranked as a leading firm for patent litigation by Managing IP
• Ranked one of the top ten law firms handling post-grant proceedings in 2018 per Docket Navigator
• Ranked one of the top five law firms for representing PTAB petitioners in 2018 by Managing Intellectual Property
• Named the seventh most active law firm in the country for inter partes reviews in Patexia IPR Intelligence Report
• Named Trademark Law Firm of the Year by U.S. News - Best Lawyers®

NEWS

05.20.2019
Perkins Coie Attorneys Mentioned in Law360 - Ill. Jury Awards Riddell $5M in Football Helmet IP Trial
General News
Law360
Christopher G. Hanewicz, Rodger K. Carreyn, Michelle Umberger, Gabrielle E. Bina, Brandon M. Lewis and Douglas L. Sawyer were mentioned in the Law360 article, "Ill. Jury Awards Riddell $5M in Football Helmet IP Trial," regarding their representation of the Riddell Inc. win against rival helmet maker Schutt Sports, who created and marketed a football helmet that infringes two of its patents.

05.15.2019
Brandon White Quoted in Law360 - The Do's and Don'ts of Extra Discovery at the PTAB
General News
Law360
Brandon White was quoted in the Law360 article, "The Do's and Don'ts of Extra Discovery at the PTAB," regarding how to handle the discovery process with the Patent Trial and Appeal Board.

05.15.2019
General News
Law360
Andrew Dufresne, Autumn Nero, Dan Bagatell and Shannon Bloodworth were mentioned in the Law360 article, "Fed. Circ. Kills 2 Patents on Horizon Pain Drug Vimovo," as representation for Mylan when the U.S. Court of Appeals for the Federal Circuit ruled that two patents on Horizon Pharma's Vimovo are invalid.

05.14.2019
Perkins Coie Partner Gene Lee Appointed to NYIPLA Board of Directors
Press Releases
Perkins Coie is pleased to announce that Gene Lee, a partner in the firm's Patent Litigation practice, was appointed to the New York Intellectual Property Law Association's (NYIPLA) Board of Directors at the 2019 Annual Meeting held on May 14, 2019.

05.14.2019
Nate Kelley Mentioned in Multiple Publications Regarding theInvalidation of Johnson & Johnson's Drug Patent
General News
Nate Kelley was mentioned in multiple publications regarding the U.S. Court of Appeals for the Federal Circuit's ruling to uphold the U.S. Patent Trial and Appeal Board decision to invalidate a patent on Johnson & Johnson's prostate cancer drug, Zytiga.
**Perkins Coie Ranked Nationally Across All Areas of IP Law by Managing IP**

**Press Releases**

Perkins Coie is pleased to announce that it has been ranked nationally in every area of intellectual property by *Managing IP* in its 2019 IP Stars rankings, including patent litigation, post-grant proceedings and patent prosecution.

**Perkins Coie’s Dan Bagatell Admitted to American Academy of Appellate Lawyers**

**Press Releases**

Perkins Coie is pleased to announce that Partner Dan Bagatell has been elected to be a member of the American Academy of Appellate Lawyers at the Academy’s recent meeting.

**BLOG**

**PTAB Tech Center 1600 Round-Up: Week of April 29 – May 3, 2019**

During the week of April 29–May 3, 2019, the Patent Trial and Appeal Board (“Board”) issued one decision in TC 1600—a final written decision in a post-grant review (“PGR”): Grünenthal GmbH v. Antecip Bioventures II LLC, PGR2018-00001. In a PGR, the Board found unpatentable claims 3–30 of U.S. Patent No. 9,539,268 (“the ‘268 patent”), assigned...

**PTAB Tech Center 1600 Round-Up: Week of April 15-19, 2019**

During the week of April 15–19, 2019, the Patent Trial and Appeal Board (“Board”) issued two IPR non-institution decisions (on the same patent), two PGR institution decisions, and one IPR final written decision in TC 1600. Intervet Inc. a/k/a Merck Animal Health v. Boehringer Ingelheim Vetmedica, Inc., IPR2018-01788 and IPR2018-01789 (Decision Denying Institution Entered Apr....

**PTAB Tech Center 1600 Round-Up: Week of April 8-12, 2019**

During the week of April 8, 2019, the Patent Trial and Appeal Board (“the Board”) issued two final decisions and six decisions instituting inter partes review. The six institution decisions involved two sets of actions, each with three related proceedings. Incyte Corporation v. Concert Pharmaceuticals, Inc., IPR2017-01256, Paper No. 119 (Final Decision Finding all Challenged...

**Court Applies Post-Trial IPR Estoppel Where Final Judgment Didn’t Address All Obviousness Defenses**

In an April 11, 2019 order, Judge Andrews of the District of Delaware ruled that a Hatch-Waxman defendant’s obviousness defenses were precluded under 35 U.S.C. § 315(e)(2) even though the barring PTAB decision issued over a year after the court had held an obviousness trial. Novartis Pharm. Corp. v. Par Pharm., Inc., No. 14-cv-01289 (D....

**PRESENTATIONS**

**06.16.2019 - 06.18.2019**

**IPBC Global 2019**

Sponsorship

Boston, MA

**06.12.2019 - 06.15.2019**

**FCBA Bench & Bar Conference**

Sponsorship

Federal Circuit Bar Association

Colorado Springs, Colorado

**06.06.2019**

**McCarthy Institute/USPTO: Forum on Brand Protection and Anti-Counterfeiting Strategies**

Sponsorship

Alexandria, VA

**05.30.2019 - 05.31.2019**

**Colorado Bar Rocky Mountain Intellectual Property & Technology Law Institute**

Speaking Engagements

Sponsorship

Westminster, CO

**05.18.2019 - 05.22.2019**

**INTA Annual Meeting 2019**

Reception

Boston, MA
Building an IP Strategy for China
Speaking Engagements
Sponsorship
LOT Network Bridge Annual Meeting / San Francisco, CA

05.07.2019 - 05.09.2019
Speaking Engagements
PLI Bootcamp / Chicago, IL

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RELATED SERVICES

PRACTICES
- Patent Litigation
- Patent Prosecution & Portfolio Counseling
- Trademark, Copyright, Internet & Advertising
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- ITC Litigation
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- Emerging Companies & Venture Capital Law
- Technology Transactions & Privacy Law
- Litigation
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INDUSTRIES
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- Arts, Entertainment & Sports
- Augmented Reality / Virtual Reality & Mixed Reality
- Autonomous Vehicle Systems
- Biotechnology & Pharmaceutical
- Blockchain Technology & Digital Currency
- Clean Technology
- Healthcare
- Interactive Entertainment
- Internet & E-Commerce
• Internet of Things (IoT)
• New Space
• Medical Device
• Retail & Consumer Products
• Semiconductor
• Unmanned Vehicle Systems

NEWS & INSIGHTS

PRESS RELEASE


ARTICLE

New USPTO Motion-To-Amend Program Raises Concerns
Perkins Coie Partner Nate Kelley authored an article for Law360 raising concerns with the USPTO's new motion-to-amend pilot program.

PRESS RELEASE

Perkins Coie Partner Amy E. Simpson Receives Prestigious Burton Award for Distinguished Legal Writing

PRESS RELEASE

Nine Perkins Coie Attorneys Recognized by World Trademark Review; Firm Named a National and Regional Leader
Perkins Coie Again Recognized as Top Patent Litigation and Post-Grant Firm in Lex Machina's Annual Report


Perkins Coie’s Win for Mylan Recognized Among the Biggest Patent Cases of 2018 by Law360
Perkins Coie attorneys successfully represented Mylan Pharmaceuticals in *Saint Regis Mohawk Tribe v. Mylan Pharmaceuticals Inc.*, a case recognized as one of “The...

Perkins Coie Ranked Second Year in a Row for Innovative IP Tools in *Financial Times North American Innovative Lawyers Report*
Perkins Coie is pleased to announce that the firm has once again been recognized in the *Financial Times North American Innovative Lawyers...*

Nathan Kelley, Former Solicitor and Deputy General Counsel at the USPTO, Joins Perkins Coie
Perkins Coie is pleased to announce that Nathan Kelley has joined the firm’s highly recognized Intellectual Property practice as a partner in the Washington, D.C. office.

**PRESS RELEASE**

**Perkins Coie Recognized as Leader for Gender Diversity Within IP Practice by ChIPs**
Perkins Coie was recently named to the Honor Roll of the inaugural Inclusion Blueprint Survey, a joint initiative between ChIPs, a nonprofit organization focused on advancing women in technology,...

**PRESS RELEASE**

**Perkins Coie Named an IP Litigation Powerhouse by Leading General Counsel**
Perkins Coie is one of the top seven firms that general counsel look to hire for IP Litigation, according to the 2019 BTi Litigation Outlook report, an annual analysis by BTI Consulting...

**ARTICLE**

As the Augmented Reality/Virtual Reality (AR/VR) industry matures and becomes more standardized, developers of all sizes are becoming more concerned about legal issues regarding...

**FIRM NEWS**

**Perkins Coie Mentioned in The Recorder - New ChIPs-Backed Survey Seeks Gender Parity in Intellectual Property Practices**
Perkins Coie was mentioned for being one of the highest-ranking performers, with a score between 36 and 39.5 out of a possible 46 points, in a new survey...
PERKINS COIE RECOGNIZED FOR TOP PERFORMANCE IN FEDERAL CIRCUIT PATENT APPEALS FOR THIRD CONSECUTIVE YEAR

Perkins Coie is pleased to announce that it has been recognized by Law360 as one of the firms that “crushed it” in patent cases decided by the Federal Circuit in 2018.

READ MORE

PERKINS COIE NAMED A 2019 IP LITIGATION POWERHOUSE
—BTI CONSULTING GROUP

PERKINS COIE WAS RECOGNIZED AS A “POWERHOUSE” FOR ITS ABILITY TO DETERMINE HOW IMPORTANT AN IP MATTER IS FOR THE CLIENT AND TAILORING ITS SERVICES ACCORDINGLY.

Perkins Coie is one of the top seven firms that general counsel look to hire for IP Litigation, according to the 2019 BTI Litigation Outlook report, an annual analysis by BTI Consulting Group of the legal landscape.

READ MORE

1600 PTAB & BEYOND

1600 PTAB & BEYOND

Significant Patent Decisions and Developments Affecting the Life Sciences Industry

Perkins Coie’s 1600 PTAB and Beyond blog reports from the intersection of the life sciences industry and key decisions and developments from the Patent Trial and Appeal Board (PTAB), district courts and appellate courts. We focus on IP analyses and insights within a practical and actionable context.

READ MORE
This blog serves to guide in-house counsel and U.S. patent attorneys on navigating Chinese IP law. We understand the ins and outs of China law and how it affects corporations.