



CONNOLLY BOVE LODGE & HUTZ LLP

ATTORNEYS AT LAW

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INTELLECTUAL PROPERTY SERVICES

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INTELLECTUAL PROPERTY OVERVIEW

Connolly Bove Lodge & Hutz LLP is a national leader in intellectual property law.

We protect our clients' most valuable assets through a full range of intellectual property services pertaining to patents, trademarks, copyrights, trade secrets, related transactions, licensing and antitrust law. Our firm is active in litigation, as well as in *inter partes* proceedings in the Patent Office and patent prosecution.

Connolly Bove Lodge & Hutz LLP has repeatedly ranked among the top firms in the United States for the total number of patent litigations filed and for the number of domestic patents obtained. The firm has also been recognized as one of the most active patent litigation firms in the nation by *IP Law & Business* magazine. Protecting patents and other intellectual property in an increasingly competitive and globalized economy is the heart of our successful practice.

Making History

Since our founding in 1944, many significant intellectual property cases have been handled by our firm. Our success in these litigations has determined important issues of patent and trademark law and protected key technologies. We have also prosecuted some of the most important patents over the past decades. We continue to make history today, prevailing in litigation and appeals time and time again.

Science, Engineering and Law

We serve all of the major technical fields. We understand the science and engineering behind our clients' innovation, as many of our intellectual property attorneys hold advanced degrees in chemistry, engineering and life sciences. We have a full staff of attorneys registered to practice before the U.S. Patent and Trademark Office.

Connolly Bove's successful litigation practice has been at the forefront of technology and patent law. We have set new standards in patent law.

*Our goal is to meet
our clients' needs,
anticipate their
future concerns
and identify a
comprehensive
strategy to address
those concerns.
Our clients'
objectives become
our objectives.*

Experienced Litigators

Connolly Bove attorneys serve as lead counsel in trials and appeals throughout the country, including proceedings in the District of Delaware, the Central District of California, the United States Supreme Court, the United States Court of Appeals for the Federal Circuit, the International Trade Commission and many other federal and state courts.

A Strategic Partner

We have an unwavering commitment to partner with our clients. Our clients' objectives become our objectives. Our goal is to meet our clients' needs, anticipate their future concerns and identify a comprehensive strategy to address those concerns.

Connolly Bove clients include well-known Fortune 100 companies, large multinational corporations from Europe to Asia, as well as many middle market and emerging high-tech start-ups. Our intellectual property practice areas include all phases of intellectual property services and all major technologies.

Broad Base of Support

With offices coast to coast in Delaware, Washington, D.C. and California, the firm is able to serve clients in the nation's most critical patent courts. The Washington, D.C. office also provides a presence close to the United States Patent and Trademark Office, the United States Court of Appeals for the Federal Circuit and the International Trade Commission. From our Delaware home, the firm offers corporate, commercial, tax and bankruptcy services in addition to intellectual property litigation, for which the Delaware courts are renowned. Our Los Angeles office offers an experienced staff of patent and trademark lawyers who provide a full range of technologies and IP services, including first chair litigation services in all California courts.





The protection of software innovations through copyright is an important part of our practice.

INTELLECTUAL PROPERTY SERVICES

Antitrust

Our practice includes counseling and litigation to protect our clients from antitrust and unfair competition claims. We have also invoked the antitrust laws to protect our clients' rights and we have utilized our extensive knowledge of the antitrust-patent interface to gain greater flexibility in licensing transactions. Many of our litigations involve the antitrust-patent interface.

Copyrights

We help clients protect and enforce rights in their creative works, including publications, music and software. We initially walk clients through the copyright registration process so that they can handle subsequent registrations themselves where appropriate. We have experience in filing and obtaining expedited processing of copyright applications when needed to institute copyright infringement actions. We regularly counsel authors and copyright owners on suitable licensing agreements and other contractual arrangements with publishers and promoters. Protection of software innovations through copyright is a significant part of our practice. When infringement occurs, we have experience enforcing and defending copyright claims in court.

Counseling

Our attorneys provide a full range of patent counseling, including validity, infringement and patentability opinions, and technology protection strategies and techniques. We provide advice on such matters as whether a novel technology should be patented or protected as a trade secret, whether our clients' rights have been infringed and whether our clients have freedom to operate in a given area in light of the intellectual property rights of others.

Due Diligence

As part of assisting clients with technology transfers, we offer due diligence review of intellectual property portfolios. We advise our clients on the strengths and weaknesses of the patents being transferred, the legal formalities that apply to the transfer and the technological conflicts that may affect the value of the patent portfolio under review.

International Trade Commission

The members of Connolly Bove's International Trade Commission practice have an in-depth understanding of International Trade laws, trade regulations and litigation. We understand the business of International Trade. The U.S. International Trade Commission provides unique remedies under Section 337 of the Tariff Act against unfair acts and unfair methods of competition in the importation of goods into the United States. Section 337 cases move very quickly, are subject to unique procedural and substantive rules and typically involve complex, technical subject matter. As a result, intellectual property disputes under Section 337 present a special set of challenges that can be met most effectively by Connolly Bove's lawyers who are familiar with the ITC's procedures, precedents and staff.

We provide advice on such matters as whether a novel technology should be patented or protected as a trade secret, whether our clients' rights have been infringed and whether our clients have freedom to operate in a given area in light of the intellectual property rights of others.



Our attorneys have extensive experience in both domestic and international arbitrations.



We have the ability to assess all intellectual property issues presented by the transaction, including any potential patent misuse and antitrust issues implicated by a licensing arrangement.

Licensing and Transactions

We have helped hundreds of licensees and licensors transfer rights in patents, trademarks, copyrights and other forms of intellectual property. We listen to our clients and remain mindful of their business objectives as we proceed through each licensing transaction. We have the expertise to assess all intellectual property issues presented by the transaction, including any potential patent misuse and antitrust issues implicated by a licensing arrangement. Our tax experts can help structure royalties and assist in value calculations, while our bankruptcy experts can assist with intellectual property assets in bankruptcy proceedings. Our litigators have handled numerous cases involving licenses.

Employing our legal and technical expertise, we assist clients with technology transfers, whether purchases or sales. In our thorough due diligence review, we evaluate the intellectual property portfolio involved in the transfer, and advise our clients on its value and any potential to create conflict.

We also provide clients with a range of services for all stages of the merger and acquisition process. Our corporate lawyers have represented public and private buyers and sellers, investment bankers, private equity funds and individuals in negotiating merger and acquisition transactions, including several companies in which intellectual property was the key asset in the transaction. Our expertise allows us to structure and manage any type of merger or acquisition from its inception through the negotiation and drafting processes and to counsel our clients concerning any related matters through the closing of the transaction. We perform all of the corporate, intellectual property, tax and securities law aspects of the transaction.

Patent Interferences

We have extensive experience in patent interference practice before the United States Patent and Trademark Office Board of Patent Appeals and Interferences. We represent clients in all phases of patent interferences – from strategies to anticipate and provoke interferences, to preliminary motion practice and preparing preliminary statements, to taking testimony and framing the issues for final hearing and to bringing closure in the federal courts, where interference decisions are reviewed or appealed. We have prevailed in numerous interferences.

Patent Litigation

Connolly Bove has one of the oldest and most preeminent patent litigation practices in the United States. At both trial and on appeal, the firm has frequently handled notable cases of first impression and it continues to set new standards in patent law. Our attorneys have protected some of the most economically and technologically important inventions of our time. We offer litigators with a broad base of technical backgrounds and Patent Office experience. We combine this experience with battle tested first chair litigation expertise. We handle both complex cases and cases involving smaller entities, staffing each case in a manner most suited to our client's needs. Our attorneys also coordinate international patent enforcement strategies and litigations, working closely with foreign attorneys.

We use all available litigation technologies – litigation docket and support databases, document imaging, OCR technology, trial presentation software and video animations. We employ mock trials and jury focus groups when appropriate and cost-justified. Our teamwork approach keeps discovery focused and cost-effective. We supplement our litigation efforts with arbitration, mediation and other forms of alternative dispute resolution that have become effective approaches to resolve patent disputes. Our attorneys have extensive experience in both domestic and international arbitrations. We have a large staff of experienced litigation paralegals who work closely with our attorneys to manage and control document review and production, case scheduling, exhibit preparation, trial organization and other important functions.

Patent Prosecution

Each year, Connolly Bove Lodge & Hutz LLP prepares and files hundreds of United States and foreign patent applications in order to serve our clients worldwide. Our prosecution attorneys handle applications in all major technical fields. We have developed a network of foreign associates, giving us access to patent offices in every country in the world where patenting is meaningful. Our prosecution attorneys also work closely with our litigation attorneys to identify and implement strategies during prosecution that will enhance each patent before it ever reaches litigation. Whether *ex parte* or *inter partes* procedures are warranted, our practitioners have experience to guide our clients to the best results.

Our litigation attorneys work closely with our prosecution attorneys to identify and implement strategies during prosecution that will enhance each patent before it ever reaches litigation.



We believe that a skilled patent attorney should have litigation and prosecution experience. Our prosecution group leaders have litigation experience. We do not view patent prosecution as a commodity.

Patent Reissue and Reexamination

To protect our clients' interests, our attorneys make use of all available procedures to improve patent quality, including seeking reissue or reexamination of issued United States patents. We carefully review all aspects of patents before litigation to determine whether reissue or reexamination would strengthen the patent and its prospects for successful enforcement.

Trademarks

From its inception in the early 1940's, the firm has engaged in a national and international intellectual property practice that includes trademarks and all trademark-related work. We perform every type of trademark service, including maintaining and protecting trademark portfolios, trademark searching, counseling, prosecution, oppositions and cancellation proceedings before the U.S. Trademark Trial and Appeal Board, licensing, assisting in the creation of Delaware Holding Companies and litigation.

Trademark and Copyright Litigation

Our attorneys have tried cases before judges and juries nationwide in trademark, trade dress and related licensing litigations. We have frequently handled expedited proceedings to obtain restraining orders and preliminary injunctions. We have obtained many favorable decisions for our clients enjoining unfair competitive acts, such as copying of our clients' distinctive product shapes (product configurations), packaging (trade dress) and names (trademarks).

Unfair Competition and Trade Secrets

Our clients rely on us to protect their unpatented proprietary technology and confidential business information from unlawful use by others. We have successfully obtained injunctions and damages in trade secret misappropriation cases, trade dress litigation for copying distinctive packaging and other unfair competition claims, such as illegal use of customer lists and data. We advise on security and contractual measures to protect trade secrets, and we prepare agreements prohibiting unfair competition and wrongful disclosure of trade secrets.





TECHNOLOGY GROUPS

Biotechnology, Biomedicals and Pharmaceuticals

Our Life Sciences Group represents leading companies in the pharmaceutical, biotechnology, medical technology, healthcare and agricultural biotech industries. Our practice involves numerous forms of genetically engineered and DNA-based discoveries, pharmaceuticals, medical devices and diagnostic and screening procedures. Our involvement in life sciences spans a broad range of sub-specialties including genomics, plant bio-engineering, protein chemistry, drug design and immunology. Our pharmaceutical experience has involved pioneering drugs going back as far as Tetracycline, and more recently includes expertise in ANDA litigation in the wake of the Hatch-Waxman Act. With many attorneys holding advanced degrees in their scientific fields, our Life Sciences Group serves leading companies well. In 2006, Connolly Bove successfully protected the patent rights to Lipitor,[®] the world's largest selling drug.

Chemicals

Our Chemical Group serves clients in a wide range of subject areas including polymers, food chemistry, petrochemical products, detergents, surfactants, agricultural and industrial chemicals, films and inorganic chemistry. We have obtained thousands of chemical patents over the years, and have represented clients in numerous infringement cases involving noteworthy products. Our clients range from start-up companies to some of the largest chemical companies in the world.





Electrical, Computer and Internet Technologies

Our Electrical, Computer and Internet Group represents diverse participants in electronics, communications, computer technology and the internet. In past years, we have helped our clients protect pioneering electronics inventions such as the ENIAC and the Token Ring network protocol. Our involvement in electronics and computers covers sub-specialties in consumer electronics, computer systems, medical devices, scientific and industrial instrumentation, semiconductor fabrication and data communications from small start-ups to large international companies.

Mechanical Technologies

Our Mechanical Technology Group's services extend from sophisticated medical devices and industrial equipment to simple tools and toys. We have obtained patents on solar cells, household appliances, exercise equipment, diagnostic equipment, machines for sterile welding, cameras, plumbing and carpentry devices, electronics housings, semiconductor processing equipment, orthopedic and prosthetic devices, field drainage systems, artificial seaweed erosion controls, air conditioning, office equipment, modular storage systems, kidney dialysis equipment, aircrafts, robotics and many other devices. We have enforced many of these patents through infringement actions on behalf of our clients.



The United States District Court for the District of Delaware welcomes intellectual property cases and has developed a reputation for handling them with efficiency and fairness.

Local Counsel Services

Connolly Bove Lodge & Hutz LLP frequently serves as local counsel in intellectual property litigation brought in Delaware, Virginia, Maryland, the District of Columbia and California. The United States District Court for the District of Delaware welcomes intellectual property cases and has developed a reputation for handling them with efficiency and fairness. This court moves the cases to trial at a pace acceptable to plaintiffs and defendants alike, neither too rapidly to preclude full discovery nor too slowly to delay resolution interminably. Similarly, the District Courts in California are among the most popular forums for patent litigation in the United States. In serving as local counsel in Delaware and California, we offer advice on compliance with local rules, on the particular preferences or procedures of the various judges and on matters of substance and strategy.

A Tribute to Client Innovation

We marvel at the world of technology being created by our clients and pay tribute to their achievements in improving the human condition. The rapid pace of inventions in recent years foreshadows an unparalleled era of advancement. We are at the threshold of cures that were once distant visions, of productivity beyond imagination and of communication innovations enabling the world to become a global community if it chooses. We look forward to our role in creating a propitious confluence of law and science that will benefit all who are served by this new age of technology.

Our Website

Our website www.CBLH.com contains biographical profiles on each of our attorneys, their areas of expertise, the distinctions and honors they have earned, the cases they have handled, representative litigations handled by the firm, representative clients and information on our history, our recruiting policies and the principles we follow to achieve the objectives of our clients.

