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**ROTHWELL FIGG**

IP Professionals

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*Rothwell Figg is a quality-focused  
intellectual property firm.*

*We are experienced, strategic,  
cross-disciplined and business-oriented.  
And like our clients, we understand  
that intellectual property is a key factor  
in a company's success.*

## ***Dedicated.***

Rothwell Figg isn't just a law firm, we are a tight-knit community passionate about what we do...because it's all we do. We are one of the few firms out there that still houses all our people under one roof.

We practice IP law – and we're good at it. This one-office, one-focus philosophy allows us to put client service first.

## ***Teamwork-Oriented.***

Our clients tell us that our “close-knit team” makes us different from other law firms. We work as hard as big law firms, and we get the same winning results and positive outcomes, but we don't act like a big law firm.

## ***Respected.***

Leading legal publications and organizations have recognized us for the work we do. We are regularly listed as one of the best and most highly regarded law firms in the United States and around the world.

## ***Experienced.***

Our attorneys have a wealth of legal and technical experience, with many years of practice handling complex, high profile patent litigation in Federal Courts and the U.S. International Trade Commission (ITC), and proceedings before the U.S. Patent and Trademark Office (USPTO). Many of our attorneys have advanced technical degrees and industry experience, some have served as clerks in the Federal Circuit and in U.S. District Courts, and others started their careers as Patent Examiners at the USPTO.

*Our mission is simple  
-- we aim to provide our  
clients with high quality  
legal services delivered on  
time for a reasonable fee.*



## Litigation

What do gamma cameras, ceiling fans, ulcer medication, LEDs, industrial and agricultural equipment, digital audio radio, electronic trading systems, and voicemail have in common? Rothwell Figg has been trial counsel in patent cases in federal courts around the country and before administrative agencies for matters involving all of these technologies, and many others. We also have been lead counsel in trade identity (trademark), copyright, and licensing litigation for products ranging from fishing lures to candy, education publications to character rights, and many other products.

More than half of our firm's work is devoted to intellectual property litigation for clients such as Nichia, LG Electronics, The New York Times, Dow Jones, Fox Broadcasting, Time Warner, HBO, CBS, NBC, Hulu, McGraw Hill, Actavis, Sandoz, Spear Pharmaceuticals, Fresenius, CBOE, ITG, Cognizant, Dentsply, Geox, MAX, Versata, Music Choice, and Unverferth. We have handled hundreds of cases in the United States Patent and Trademark Office before the Board of Patent Appeals and Interferences, now the Patent Trial and Appeal Board (PTAB), and the Trademark Trial and Appeal Board (TTAB).

Our litigation team of experienced trial attorneys specializes in intricate, multi-party, multi-patent cases involving complex scientific and legal issues. We manage discovery and depositions, using the most up-to-date methods, with an eye to victory and efficiency.

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**“WHATEVER RESOURCES ARE NEEDED FOR THE CHALLENGES, ROTHWELL FIGG CAN MEET IT.”**

**- ROTHWELL FIGG CLIENT**

## U.S. Federal District Court and our Hatch-Waxman Litigation Practice

Our firm is known for its pharmaceutical litigation practice, having represented pharmaceutical companies in more than 40 litigations arising out of the Drug Price Competition and Patent Term Restoration Act (“Hatch-Waxman”). Several of our partners devote nearly all of their time to pharmaceutical litigation, representing both brand-name pharmaceutical innovators and generic drug manufacturers. We have invalidated dozens of pharmaceutical patents, and have successfully pursued antitrust cases arising out of the improper listing of patents in the Orange Book, culminating in settlements of over \$500 million.

## Patent Post-Grant Trial Practice

Rothwell Figg's Patent Trial and Appeal Board (PTAB) Trial Practice Group has considerable experience handling inter partes review (“IPR”), covered business method (CBM) review, and post-grant review (PGR) proceedings before the PTAB. Our depth of knowledge and expertise with handling matters before the PTAB is unique, as many of the attorneys in our group have substantial experience handling interference proceedings, as well as reexaminations before the Office.

Our prosecution experience before the Office encompasses a wide range of technologies and fields, including biotechnology and pharmaceutical fields; plant science; medical devices; computer hardware and software; the Internet; advanced electronics; semiconductor devices and manufacturing; advanced telephony equipment and circuits; and a wide variety of mechanical systems and devices.

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**IAM PATENT 1000 HAS RECOGNIZED ROTHWELL FIGG'S PATENT POST-GRANT TRIAL PRACTICE FOR OUR “GREAT COMPARATIVE VALUE AND RENOWNED EXPERTISE IN POST-GRANT PROCEDURES.”**



### **Trademark Trial and Appeal Board Practice**

Because 90% of proceedings in front of the United States Patent and Trademark Office's Trademark Trial and Appeal Board (TTAB) are resolved before "trial," we help clients find the most favorable resolution to these proceedings. But when efforts such as co-existence agreements and licensing agreements are not the answer, we call on our experience handling hundreds of trademark opposition and cancellation proceedings, as well as numerous ex parte appeals, to achieve a successful resolution for our clients.

### **U.S. Court of Appeals**

When we achieve a successful result at the trial court level or before a government agency like the U.S. Patent and Trademark Office, International Trade Commission, or Food and Drug Administration, it might not always end there. We have a team

of lawyers who represent our clients' interests in the regional courts of appeal and at the United States Court of Appeals for the Federal Circuit. This team combines decades of experience with knowledge of the complex and technical issues that arise in appellate practice so we win cases on appeal, as appellant or appellee.

### **U.S. International Trade Commission**

The International Trade Commission (ITC) is a popular venue for high stakes patent disputes. When clients want to stop competitors from importing infringing products into the U.S. or to preserve their ability to import allegedly infringing products, they ask us to represent them in the U.S. ITC, where we have extensive experience and a record of success.



A photograph of a modern office interior. In the foreground, a wooden conference table is partially visible. Several green chairs with white seats are arranged around the table. In the background, there are large windows with dark wood frames, and indoor plants are placed near the windows. The lighting is warm and natural, suggesting a bright day. A semi-transparent green rectangular box is overlaid on the center of the image, containing white text.

**Dedicated.** It's what we are to our clients, and it's what the firm is to our people. We share the same belief as our clients that our people—our attorneys and the staff who support them—are what set us apart from every law firm.

## Patent Prosecution

Our team of patent attorneys holds advanced degrees – in some cases, doctorates – in many technical and scientific disciplines. It's the coupling of education and years of experience with up-to-date knowledge of the policies and procedures of the United States Patent and Trademark Office (USPTO) that enables us to provide our clients with the most advanced and efficient patent prosecution services in complex and sophisticated fields:

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- BIOLOGY AND BIOTECHNOLOGY
  - BIOMEDICAL
  - CHEMICAL
  - ELECTRICAL AND COMPUTER
  - MECHANICAL
  - MEDIA AND FINANCIAL SERVICES
  - PHARMACEUTICAL
  - SOFTWARE, E-COMMERCE AND BUSINESS METHODS
  - TELECOMMUNICATIONS AND NETWORKS
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Our patent attorneys secure proprietary protection, render opinions and provide advice to clients around the world, filing, and prosecuting hundreds of applications in both domestic and foreign patent offices each year. Because of our robust foreign practice, we work closely with a global network of trusted associates in countries where our clients' have international patent needs. Our attorneys file patents applications on a regular basis under the Patent Cooperation Treaty (PCT), in the European Patent Office (EPO), and in foreign countries around the world.

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**IAM PATENT 1000 NOTED THE FIRM'S "METICULOUS PATENT DRAFTING," STATING "[ROTHWELL FIGG] KNOWS ALL THE INS AND OUTS OF THE USPTO."**

## Counseling

When it comes to counseling our clients, we know they look to us to identify protectable developments; procure intellectual property rights; and license, enforce, and defend these rights from potential infringement. Many of our clients operate in a global business world, so we partner with them to formulate creative and flexible plans of action that marry their business objectives with domestic and international intellectual property strategies. We believe in arming our clients with the information they need to develop strong intellectual property portfolios that protect their business.

We strive to understand our clients' business and their objectives so we can offer them both offensive and defensive strategies. We assess our clients' competitors and their activities so we can evaluate the strength and scope of their intellectual property protection, identifying potential weaknesses and opportunities. We look for ways to acquire intellectual property, both for revenue generation or to join in critical market areas, and we provide strategic advice and assessment of the value of assets for mergers, acquisitions, and other transactions.



*"Rothwell, Figg, Ernst & Manbeck ranks among the most respected boutiques in DC, though its reputation for excellence extends nationwide."*

**- IAM PATENT 1000**



## **Trademarks**

Our worldwide network of clients need trademark protection that spans the globe. Our trademark practice is a multi-national practice that includes trademark prosecution, trade dress protection, enforcement, defense, and licensing.

From security systems to candy, our trademark clients are as varied and diverse as their products and services. We have handled matters involving food, consumer goods, computer hardware and software, medical devices, clothing, wine and liquors, franchise services, planting seed...even character rights and e-commerce. Prior to considering a new mark, our attorneys will provide clients with a variety of screening and clearance search reports.

Our trademark attorneys file and prosecute hundreds of applications in both domestic and foreign trademark offices each year. To assist in the coordination and management of this undertaking, and to ensure our clients' international trademark needs are met, we work closely with our personally-selected, highly qualified associates around the world. Our attorneys also work with U.S. Customs and Border Protection to keep counterfeit products from entering the U.S. In addition, our team has extensive experience prosecuting Uniform Domain Name Resolution Procedures (UDNP) to protect our clients' trademarks from cybersquatters.

## **Copyright**

We handle many aspects of copyright law, including advising clients on how to set up their in-house program for registrations of copyright, and on their rights under U.S. copyright law and regulations. We work with U.S. Customs and Border Protection to keep counterfeit products out of the U.S. We counsel clients on copyright issues ranging from protectability of products to enforcement of copyrights, and we litigate copyright issues for both the copyright claimant and those defending against claims of copyright infringement.

## **Unfair Competition**

Unfair Competition laws are designed to keep the marketplace as fair as possible. Unfair competition includes theft of trade secrets; false advertising; trade libel; infringement of the right of publicity; interference with contractual relationships/prospective advantages; and misappropriation. Our attorneys understand and know how to interpret the complexities and nuances of unfair competition laws, enforcing our clients' rights when we believe competitors have violated these important guidelines. Our attorneys have extensive experience litigating unfair competition cases in federal and state courts.

## **Cybersecurity, Privacy, and Data Protection**

Threats to data security, confidential information, and valuable intellectual property assets are a major area of concern for businesses of all sizes, and as the world becomes more connected, the vulnerability of those assets is growing. Our cybersecurity, privacy, and data protection attorneys – all of whom are Certified Information Privacy Professional in the United States (CIPP/US) – advise clients on the broad range of issues that businesses face daily in order to secure data, guard valuable intellectual property, and comply with the laws, rules, and regulations regarding privacy. We work closely with clients to recognize, respond to, and minimize the serious risks associated with the collection, use, retention, disclosure, and disposal of personal information, susceptible IP, and data, and we assist with the design and implementation of cybersecurity and data protection best practices, compliance programs, and incident response plans to help organizations comply with the evolving new data privacy requirements. In the unfortunate circumstance when a company does face a breach, we are well-situated to assist during and in the aftermath of the incident, including taking immediate corrective measures, negotiating with the relevant regulatory authorities, defending against lawsuits arising from breaches, and advising on improvements to the security and privacy programs for the future. We also have extensive experience successfully representing clients in privacy-related investigations initiated by the Federal Trade Commission (FTC).



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