

Title: Patent Prosecution Strategies in a Changing Legal Environment

Abstract:

Patents are business assets that can play an important role in the success of an endeavor. Recent activities of the United States Patent and Trademark Office (“USPTO”), and recent legal opinions by the Court of Appeals for the Federal Circuit and by the Supreme Court of the United States may have appreciable consequences for patents in various technological areas. It is possible that the issues being raised may relate to the fact that legislators and judges often do not have appreciable technical training and experience. Joseph Milstein will describe some of the recent decisions, and will discuss how they may affect the possibility of obtaining patent protection in areas of technology relating to electronics and materials processing, software, telecommunications, medical devices and biotechnology.

A Bio from Joseph B. Milstein:

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education.

Dr. Milstein focuses his practice on the preparation and prosecution of patent and trademark applications, both nationally and internationally. He counsels clients in patent prosecution strategy, assessing intellectual property for business transactions and/or litigation, and technology licensing. Dr. Milstein also provides advice on the treatment of patent royalties under Internal Revenue Code section 1235. Dr. Milstein brings with him an impressive following of clients including a number of institutions of higher

Education

- *California Institute of Technology, B.S. Chemistry*

- *Polytechnic Institute of Brooklyn, Ph.D., Chemistry*
- *University of Maryland, College Park, M.B.A., Finance*
- *New England School of Law, J.D., cum laude*

Prior legal experience

- Hiscock & Barclay, LLP, Partner and Chair of IP & Technology Practice Area
- Wall Marjama & Bilinski, LLP, Partner and Massachusetts Office Manager
- Testa, Hurwitz & Thibeault, LLP, Patent Attorney

Over 20 years prior technical experience (before becoming a patent attorney):

- Philips Research Labs, Eindhoven, The Netherlands – Visiting Scientist
- US Naval Research Laboratory – Research Chemist and Section Head, Electronic Materials Branch
- Solar Energy Research Institute – Manager, High Efficiency Silicon Solar Cell program
- University of Massachusetts – Associate Professor, Electrical Engineering Department