WilmerHale helps clients at every stage of growth in all aspects of their business that involve the acquisition, exploitation or protection of intellectual property. Clients across a broad spectrum of technologies and product categories receive full-service IP coverage, from patent and trademark to copyright and trade secret law.

In 2015, BTI Consulting Group recognized WilmerHale as the “Most-Favored IP Department” in the United States, one of five “Go-To IP Firms,” and one of two that are the “Best at Complex IP Litigation.” WilmerHale has been included on the National Law Journal’s IP Hot List each year since the list’s inception in 2012, and in that same period Chambers USA has continuously ranked WilmerHale’s IP Practice in band one, noting our teams “are outstanding at all levels, combining first-rate technical and legal acumen and great trial skills.”

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Clients have access to an experienced team of more than 200 attorneys and technology specialists, with more than 160 holding degrees in technological, engineering or scientific fields, and 70 lawyers and agents registered to practice before the US Patent and Trademark Office (USPTO).

Our patent prosecution team files 1,000 US and foreign patent applications on average per year and obtained more than 2,000 US and foreign patents for clients between 2012–2014.

POST-GRANT PIONEERS

Our extensive experience with IP litigation, patent prosecution and post-grant patent proceedings before the Patent Trial and Appeal Board enables us to strategically advise petitioners and patent owners and implement inter partes review (IPR), covered business method review (CBM), post-grant review and ex parte reexamination to further our clients’ objectives. For petitioners, these procedures can provide a faster, more cost-effective means to adjudicate the validity of a patent and obtain freedom to operate. For patent owners, an effective strategy and thorough understanding of the procedures are important to preserving claims and claim breadth. We have found that post-grant proceedings can provide strategic tools to limit and define issues before or during patent litigation, or promote settlement.

Following the 2012 passage of the America Invents Act, WilmerHale was among the first law firms to file 100 IPRs, emerging as a leader in post-grant proceedings and advising clients on the interplay between USPTO proceedings and concurrent litigation.

We’ve remained active since filing our 100th IPR, representing petitioners and patent owners, and taking numerous IPRs and CBMs through hearing and final decision successfully. WilmerHale’s patent prosecution and litigation experience enables us to navigate complex procedural, substantive and strategic issues posed by post-grant proceedings and deliver favorable results.

On the trademark side, we leverage our litigation and prosecution experience in handling opposition and cancellation proceedings.

PROTECTING YOUR INTELLIGENT PROPERTY

WilmerHale’s globally recognized IP Litigation Practice helps clients achieve their business objectives by offering high-quality, cost-effective services and innovative solutions. Whether startups or Fortune 500 companies, we represent clients from a range of industries in high-stakes matters relating to patent, copyright, trademark, trade dress, Hatch-Waxman litigation and IP appeals.

Our lawyers have substantial experience trying IP cases in district courts nationwide and at the US International Trade Commission, and arguing appeals before the Court of Appeals for the Federal Circuit and US Supreme Court. We have tried jury and non-jury cases involving an array of technologies, from complex mathematical algorithms, wireless networks and devices for manufacturing semiconductor chips to osteoporosis drugs and thrombin inhibitors.

Companies confronting issues involving both antitrust and IP law—and the intersection between the two—turn to WilmerHale to evaluate issues arising from standards bodies participation, collaborations with competitors, distribution and licensing arrangements, mergers and acquisitions, and settlements of disputes. Each matter team is built to include antitrust and IP litigators with experience collaborating across disciplines in order to achieve extraordinary results.

YOUR GLOBAL PARTNER

We protect and enforce clients’ intellectual property across the globe, bringing to bear lawyers ranked among the best in the world from the patent and trademark bar, with experience navigating the complex legal, business and public policy aspects of international IP.

We secure protection in jurisdictions worldwide—either directly or in coordination with local counsel; improve foreign government enforcement of intellectual property by devising legal and public policy strategies, working with foreign governments and enlist US and EU government support and action; and contain damage from infringement by ensuring infringing products do not enter the United States.

ACHIEVING YOUR GOALS

To match our clients’ business needs, our team analyzes the value of existing IP portfolios and tailors them accordingly. This includes targeting future technological areas of interest, protecting existing areas from competitors and preparing for market changes.

Our IP lawyers work closely with WilmerHale’s Emerging Company Practice, which provides the legal guidance startups need to go from venture capital financing through IPO and beyond, and collaborate with the firm’s corporate, environmental, defense, regulatory, cybersecurity, privacy, financial services and trade practices.
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