

# Innovations, Information Technology & Intellectual Property

## Chemical Industry



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The attorneys in Benesch's Innovations, Information Technology & Intellectual Property Practice Group (3iP Group) have considerable experience assisting clients in the chemical industry with their intellectual property needs. The clients we have worked with range in size from small companies to Fortune 500 companies. Our attorneys have assisted clients in a wide array of chemical-related technologies, including polymers, coatings (e.g., paints, caulks, packaging), metallurgy, ceramics, batteries, integrated microwave packages, synthetic chemistry, organic chemistry, pharmaceuticals, electroplating, epitaxy and doping (LEDs), peptides, and adhesives. Our range of experience is expansive including advising clients on the development and implementation of comprehensive patent strategies, assisting with the preparation and presentation of educational materials for inventors, assessing and processing invention disclosures, preparing and prosecuting patent applications, clearing new products and aiding in the assessment of IP risks related to introduction of such products, enforcing client's IP rights against others, and defending our clients against the enforcement of other's IP rights. We are active in counseling our clients on the avoidance of litigation and alternatives to litigation. When litigation is necessary, our attorneys have experience in patent, trademark, and trade secret litigation in venues across the country.

### **Chemical Portfolio Due Diligence**

Benesch has extensive experience performing due diligence of chemical Intellectual Property portfolios. Our professionals have experience in portfolio analysis, including verifying ownership of Intellectual Property and conducting validity and right-to-use/freedom-to-operate analysis in various chemical fields.

### **Chemical Patent Prosecution**

Benesch's full service patent practice features registered patent attorneys with backgrounds in various chemical fields. We represent clients in every phase of the patent process in the U.S. and coordinate patent-related activities outside the U.S. We also advise clients regarding a variety of other patent-related matters, including clearance of new products, design around alternatives and enforcement programs.

### **Patent Litigation**

Benesch's patent litigators have produced positive results in complex patent cases throughout the U.S. on a consistent basis. Benesch patent lawyers have also argued numerous appeals before the U.S. Court of Appeals for the Federal Circuit. Our attorneys have experience counseling clients in choosing the most effective means of protection and enforcement based on each client's business goals and objectives. Attorneys in our 3iP Group have backgrounds and experience in a wide array of technical disciplines, including mechanical engineering, chemistry, chemical engineering, biotechnology, physics and electrical engineering.

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Our client base includes companies from the pharmaceutical, biotechnology, food additive, medical device and implement, personal healthcare, polymer, tire and rubber industries.

Services include:

- Patent searching, including state-of-the-art/patentability searches, and right-to-use/freedom-to-operate searches and the evaluation of such searches.
- Patent application preparation and prosecuting, including in the United States and also in foreign countries through the use of a foreign associate network.
- Agreements and licenses, including drafting and negotiating.
- Patent infringement advice and counseling, including infringement evaluations, validity and unenforceability evaluations, and design-around strategies.
- Litigation, including prosecution and defense of patent infringement, ITC litigation, trademark infringement and trade secret misappropriation cases.

Recent representative engagements include:

- Retained by a Fortune 500 company to prepare and prosecute patent applications relating to rubber and polymer technologies.
- Employed by a specialty polymers manufacturer to handle all IP matters including preparation and prosecution of patents relating to thermoset and thermoplastics.
- Engaged by a cosmetics company to handle all IP matters, including preparation and prosecution of patents involving peptide sequences and litigation relating to the same technology.
- Retained by a biotechnology startup company to handle prosecution of patents relating to novel drug delivery systems.
- Engaged by a division of a Fortune 500 company to prepare and prosecute patent applications directed to thermoplastics.
- Employed by a manufacturer of additives used in various polymers to prosecute patent applications directed to electrically conductive additives.