

Innovations, Information Technology & Intellectual Property

Medical Devices



Benesch Friedlander Coplan & Aronoff LLP
200 Public Square
Suite 2300
Cleveland, OH 44114
216.363.4500

The Benesch Innovations, Information Technology & Intellectual Property Practice Group (3iP Group) is actively involved in assisting clients with their intellectual property needs relating to medical devices. Our clients include clinicians, universities, research institutions, and medical device companies. Our lawyers have assisted clients in obtaining patents on a wide variety of medical devices, including surgical tools, stimulation devices, implants, spinal fixation devices, imaging systems, ambulatory products, and diagnostic tools. We advise clients in developing and implementing comprehensive patent strategy, including educating inventors, assessing and processing invention disclosures, preparing and prosecuting high-quality patent applications, clearing new medical devices, and enforcing patent rights against infringers. In addition, our lawyers have represented clients involved in disputes relating to medical devices, including patent infringement actions and interferences.

Services include:

- Patent searching, including state-of-the-art searches and right-to-use searches
- Preparing and prosecuting patent applications relating to a wide variety of inventions
- Drafting and negotiating patent-related agreements, including licenses
- Advising on patent infringement, validity, and enforceability issues
- Prosecuting and defending patent infringement actions, interferences, and §337 actions

Representative engagements include:

- Retained by a major health care institution to prepare and prosecute patent applications relating to neuro-stimulation devices
- Retained by a major orthopedic company to assist with clearing new medical devices and preparing patent applications for novel implants
- Retained by an interventional radiologist to prosecute multiple lawsuits for infringement of patents relating to biopsy instruments
- Drafted and negotiated numerous patent licenses relating to the manufacture, sale and distribution of medical devices
- Successfully represented a senior party in a patent interference relating to an image-guided surgical system
- Obtained patents for a neurosurgeon related to surgical tools
- Retained by a medical device company to investigate right to use biopsy device