



TOP 50 UNDER 45

From appellate guru to anti-counterfeiting strategist—all through the varied spectrum of IP—these winners are distinguished by their sheer brainpower, legal smarts, creativity and hard work.

—*Pamela Sherrid, Editor, IP Law & Business*

EDITOR'S NOTE

I have never sat on an admissions committee for Harvard or Princeton, but I now have much more empathy for their difficult task. How do you make the cut among so many qualified applicants? We began soliciting nominations for our Top IP People Under 45 feature last winter—230 impressive individuals were proposed, some multiple times. To anyone who didn't make our 50-person list, here are some of the reasons.

Like any Ivy League admissions committee, we were looking for a certain amount of diversity. That meant we wanted to include representatives from the many facets of IP: trademark, copyright, patent, and trade secrets, and different kinds of practices, such as litigation, transaction, and policy work. Likewise, we wanted to include a wide range of geography and top-notch law firms, and for the most part included only one person from each firm. And we limited the attorneys to those who practice U.S. law.

But enough of who is *not* on the list: Those who made it offer a unique and dynamic portrait of today's IP world. They combine raw brain power with hard work, canny legal skills, and a talent for being in the right place at the right time. Perhaps my favorite tale in the collection is the one told by writer Susan Hansen of the meeting a few years ago at Wilmer Cutler

Pickering Hale and Dorr, where former U.S. Army captain and biology Ph.D. Jane Love was up for partner. According to managing partner William Lee, as the assembled partners listened to Love's accomplishments, one of the other partners leaned forward and asked, "Are they telling me all this to try to make me feel bad about myself?" In response, I say, no, we aren't trying to make you feel bad, but rather proud of the IP community that can nurture such talent.

I am looking forward to attending the Federal Circuit's judicial conference in Washington, D.C., for the first time, in mid-May. More than one of our Top IP folks will be there, of course. Andrew Cadel, chief IP counsel at JPMorgan Chase & Co., is on a morning panel, and Edward Reines of Weil, Gotshal and the Federal Circuit Bar Association. One of my hopes for the day: that, down the street, Congress will have decided whether or not (and how) it will act on patent reform in 2008. Is that too much to ask? Maybe some of the great minds on our list have an answer.

Pamela Sherrid
Editor



JOHN DRAGSETH, 39
Principal, Fish & Richardson

IP LAW & BUSINESS

Who gets a thrill out of listening to audiotapes of patent case oral arguments before the U.S. Court of Appeals for the Federal Circuit? Or out of writing abstracts of virtually every Federal Circuit patent decision since 1998? Or from poring over a technical book on Google's search engine?

"I'm completely geeked out," admits John Dragseth, a Minnesota native and principal in his firm's Minneapolis office, where he lives and breathes patent appeals, along with prosecution and opinion work. Dragseth's high-profile Federal Circuit victories in the past several years include the 2006 Federal Circuit win for client LG Electronics, Inc., in a much-watched computer system patent licensing dispute with Quanta Computer, Inc. The Federal Circuit completely reversed a lower court finding that LG Electronics was not entitled to additional royalties. (Dragseth is not involved in the resulting U.S. Supreme Court case.) In 2001 Dragseth client Mentor H/S Inc. went from being, in his words, "totally wiped out to collecting all the money" when he achieved reinstatement of a \$6 million jury award over an ultrasound liposuction process. Likewise, in 2003 Dragseth helped 3M Company, in a case against Avery Dennison Corp., to overcome a summary judgment of noninfringement at the district court. The case then settled.

Dragseth earned a B.S. in mechanical engineering and a J.D. from the University of Minnesota, and spent two formative years as a Federal Circuit clerk for Judge Raymond Clevenger from 1996 to 1998. Dragseth is "a rare talent," says Kevin Rhodes, in-house patent counsel at 3M, who says Dragseth combines an encyclopedic knowledge of Federal Circuit case law with an ability to give practical, down-to-earth advice. Dragseth began representing 3M about a decade ago, and quickly established himself as one of its chosen appellate counsel.

Dragseth says he likes the intellectual challenge of appellate work and the fact that "you get to test yourself"—as in lower court litigation—"but it's much more civil." Good straightforward writing is key, of course. "A good appellate lawyer is not flowery, and not fancy," Dragseth says.

Fish & Richardson veteran Bob Hillman, a firm leader, says that partners routinely solicit Dragseth's advice. Though Hillman continues to formally head the firm's appellate group, he notes that Dragseth is now involved in almost all important appeals and has become de facto cochair. Dragseth has "become sort of a guru here on appellate procedure," says Hillman.

Dragseth would be a powerhouse just for his appellate work, but he is also an impressive business developer. He brought in Google as a client—the company's first general counsel worked alongside Dragseth as a clerk at the Federal Circuit, and was so taken with Dragseth's skills that he hired him as an outside patent counsel. Now Dragseth also oversees a handful of cases in which Google is the defendant, including suits brought by NetJumper Software LLC and Hyperphrase Technologies, Inc., which claim that features on the Google toolbar infringe their patents.

Thanks to Dragseth's efforts, Google has become one of the firm's biggest clients, says Hillman. Dragseth has also brought in Thoratec Corporation, a maker of heart pumps, and Wireless Ronin Technologies, Inc., which makes digital signs and interactive display panels for retailers. Indeed, the appellate geek has a book of business that he puts at roughly \$7 million a year.

—Susan Hansen



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