



# John C. Phillips

## Senior Principal

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## Overview

### About John

John Phillips is a senior principal in the Southern California office of Fish & Richardson P.C. He was previously with the firm from 1994-1999 and rejoined in 2001. His practice emphasizes *inter partes* and *ex parte* post-grant work, due diligence and freedom to operate investigations, patent opinions, and strategic patent prosecution. Mr. Phillips has extensive experience in post-grant proceedings, having appeared in over 120 proceedings at the Patent Trial and Appeal Board (PTAB). He is also a member of the communications committee and publications sub-committee of the PTAB Bar Association.

Mr. Phillips represents a wide range of clients, from individuals and startups to mid-sized and large corporations. His areas of technical expertise include internet-related technologies, computer software, telecommunications, electronics, medical devices, e-commerce, computer graphics, advanced materials, oceanography, hydrocarbon recovery, enterprise software systems, 3D computer graphics, electronic imaging, user-interfaces, electronic messaging, digital rights protection, database technology, computer networking, and avionics.

Mr. Phillips is involved in many charitable causes. He currently serves on the board of advisors for Workshops for Warriors, a charitable organization whose mission is to train combat veterans for careers in advanced manufacturing, and he provides pro bono legal services for adoptive parents through the Alliance for Children's Rights. He also routinely represents solo inventors on a pro bono basis, obtaining patents on inventions for magnetic shoelaces, a modified baby bottle, and an intelligent fertility thermometer, among others.

Mr. Phillips was previously general counsel for MercExchange LLC and Navlet.com Inc. (2000-2001),

an associate and law clerk with Fitzpatrick, Cella, Harper & Scinto (1990-1993), a staff electrical engineer with Johns Hopkins University's applied physics laboratory (1988-1989) and a research & development engineer with Scripps Institution of Oceanography (1985-1988).

## Focus Areas

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### Services

- IP Licensing, Transactions, and Agreements
- Patent
- Post-Grant
- Opinions and Strategic Counseling
- Patent Acquisition and Due Diligence
- Patent Portfolio Management
- Patent Prosecution

### Industries

- Electrical and Computer Technology
- Financial and Business Services
- Hardware
- Internet
- Medical Devices
- Software
- Telecommunications

## Education

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J.D. *Valedictorian, Order of the Coif*, George Washington University Law School (1992)

B.S. *cum laude*, Electrical Engineering, University of Michigan (1984)

# Insights

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## Publications

- “Patent Acquisition: A Due Diligence Checklist,” *Fish & Richardson* (2021)
- “Watching the Sun Set on Covered Business Method Review,” *Law360* (September 2020)
- “Not Sure Which Products are Patentable? Create an IP Harvesting Program,” *Bloomberg Law* (October 2019)
- “Patent Acquisition: A Due Diligence Checklist,” *Fish & Richardson* (February 2019)
- “PTAB First! CBM Review Denied on Jurisdictional Grounds,” *Fish & Richardson Post-Grant Blog* (May 2014)
- “Sui Generis Intellectual Property Protection for Computer Software,” 60 *Geo. Wash. L. Rev.* 997 (1992)
- “Modifications to the Sea Beam Bathymetric Survey System,” *OCEANS '88* (October 1988)
- “Multiple Sound Source Synchronizer for Seafloor Surveying, Society of Petroleum Geologists,” *Offshore Technology Conference* (May 1988)

## Media Mentions

- Featured, “Being Philanthropic on the Job,” *San Diego Metro* magazine (March 2013)
- Quoted, “Federal circuit and USPTO seek to clarify business method patents,” *Managing Intellectual Property* (January 2013)

## Speaking Engagements

- “BRI and Claim Drafting,” *IPO IP Chat Channel Webinar* (December 9, 2016)

# Recognition

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- Named a “2021 Top Attorney” by *San Diego Metro* magazine (2021)
- Winner, Patent Law, *San Diego Business Journal* “Leaders in Law” (2019)
- Named a “Leader in Patent Law” by *San Diego Business Journal* (2019)
- Named an “IP Star” by *Managing Intellectual Property* (2013-2020)
- Named a “Top PTAB Practitioner” by *Managing Intellectual Property* (2017-2018)
- Named as one of the “Top 25 Leading Portfolio Managers in California,” by the *Los Angeles Daily Journal*
- Named to “The Southern California Super Lawyers, San Diego” for Intellectual Property (2007, 2010)

- Named among the “Top Influentials,” by *The Daily Transcript* (2007-2008)
- Named among “The Legal 500 US – IP” survey of top law firms and lawyers in the area of patent reexamination

## Clerkships

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U.S. Court of Appeals for the Federal Circuit, The Honorable Alvin A. Schall, 1993 - 1994

## Memberships & Affiliations

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Member, Communications Committee, PTAB Bar Association

Member, Publications Sub-Committee, PTAB Bar Association