



Keith A. Barritt

Principal
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Overview

Keith Barritt is an experienced counselor and prosecutor who focuses his practice on both trademark law and medical device regulation by the U.S. Food and Drug Administration and Health Canada.

Keith's extensive trademark practice includes strategic counseling, portfolio management, U.S. and international prosecution, *inter partes* proceedings before the U.S. Patent and Trademark Office, internet domain name issues, and trademark selection and enforcement.

He also handles all aspects of medical device regulation by the U.S. Food and Drug Administration, including obtaining marketing authorization, use of new devices for investigational purposes, and import and export issues. In addition, Keith handles medical device regulatory matters before Health Canada.

Trademark Experience

Keith has obtained hundreds of federal trademark registrations for large multinational companies and small start-ups, overcoming initial rejections, for marks applied to a wide range of goods and services in many different industries. He has handled scores of opposition and cancellation proceedings before the Trademark Trial and Appeal Board. Keith has also written and responded to numerous cease and desist enforcement letters regarding alleged trademark infringement and has negotiated and drafted trademark licenses and other settlement agreements.

FDA Experience

Keith has filed scores of 510(k) pre-market notifications with the FDA and medical device license applications with Health Canada to obtain marketing authorization for various types of medical devices, including innovative dental lasers, software-based surgical devices, and bone screws. He advises clients on issues involving quality system regulations, device labeling, medical device reporting obligations, recalls, device listing, and establishment registration.

Keith has been recognized by *World Trademark Review 1000* for trademark prosecution and strategy since 2014 and as an "IP Star" by *Managing IP* since 2018. His prior experience includes three years as a legislative aide to U.S. Representative John Murtha in Washington, D.C. (1983-1986).

When he's not helping clients protect their valuable trademarks or obtaining medical device authorizations, Keith stays young by playing in a local rock band he co-founded in 2012.

Recognitions & awards

WTR 1000

World Trademark Review (WTR) 2014-2025

IP Star

Managing IP 2018-2024

Capital Pro Bono Honor Roll

District of Columbia Courts 2022-2024

Guide to the World's Leading Trade Mark Law Practitioners

The Legal Media Group 2018

Listed for Trademark

Who's Who Legal 2015-2017

Volunteer Service Award

International Trademark Association (INTA) 2004

Professional associations

International Trademark Association, member of Legislative and Regulatory Committee 2019-present, Emerging Issues Committee (2018-2019), Legislative and Regulatory Committee (2014 – 2017), Internet Committee (2010 – 2013), Pharmaceuticals Subcommittee (2006-2009), Chairman of Whois Subcommittee (2004-05), and Regulatory Analysis and Legislative Analysis Subcommittees (1996-2003)

ICANN Implementation Assistance Group for the creation of the Trademark Clearinghouse supporting the new generic top-level domain names, 2011-2012.

Member of the Northern Virginia Technology Council Health Tech Subcommittee (2009-2010)

Pharmaceutical Trademark Group (PTMG) 2007-present

Pro bono activities

Trademark counsel to Robinhood Foundation, one of the largest charities in the U.S.

Trademark counsel to the Dementia Society of America

Insights

Blog | May 15, 2025

No Space at the Trademark Office for US SPACE FORCE

Blog | May 1, 2025

More Is More: Ensure Your Mark Is Protectable Before You Enforce

Blog | April 24, 2025

Federal Circuit Finds Beer Trademark Application Nothing but "Chicken Scratch"

Blog | April 2, 2025

TTAB Puts Pool Hall Behind the Eight Ball

Blog | April 1, 2025

Trademark Owners May Play Only Zone Defense at the TTAB

Blog | March 4, 2025

Trademark Office Error Saves One Application From Drowning, But Not Its Shipmate

Blog | January 31, 2025

USPTO Kicks “Hijacker” of Foreign Trademark Out the Door

Blog | January 13, 2025

New USPTO Trademark Fees Go Into Effect January 18, 2025

Blog | May 20, 2024

Want to Fully Protect Your Brand? Don't Forget the Coffee Mugs!

Blog | December 2, 2020

IP and Cannabis: The Current Landscape

Webinar | October 20, 2020

IP and Cannabis: The Current Landscape

IP Law Essentials | December 9, 2019

Trademarks 101

Webinar | September 25, 2019

Trademark & Copyright Webinar: Trademarks 101

Blog | July 26, 2019

Heightened Scrutiny of Specimens of Use at U.S. Trademark Office

Blog | July 3, 2019

Legal Alert: New Rule Requires Foreign-Domiciled Trademark Applicants, Registrants, and Parties at TTAB to Be Represented by U.S. Attorney

News

News | May 21, 2025

18 Fish & Richardson Attorneys Named to 2024 Capital Pro Bono Honor Roll

News | January 31, 2025

World Trademark Review Highly Ranks Fish & Richardson's Trademark Practice

News | October 4, 2024

Fish & Richardson Ranked Highly by *Managing IP*; Attorneys Named IP Stars

News | May 6, 2024

18 Fish & Richardson Attorneys Recognized by D.C. Courts in the 2023 Capital Pro Bono Honor Roll

News | February 6, 2024

Fish & Richardson's Trademark Practice Receives High Rankings From *World Trademark Review*

News | October 5, 2023

Fish & Richardson Ranked Highly by *Managing IP*; Attorneys Named IP Stars

News | July 31, 2023

Twenty-Eight Fish & Richardson Attorneys Recognized by D.C. Courts in the 2022 Capital Pro Bono Honor Roll

News | March 7, 2023

Fish & Richardson's Trademark Practice Receives Top Rankings by *World Trademark Review*

News | June 16, 2022

26 Fish & Richardson Attorneys Named to the 2021 Capital Pro Bono Honor Roll

News | June 2, 2022

Fish & Richardson Named a Top ITC and Life Sciences Firm by *Managing IP*; Attorneys Named IP Stars

News | April 6, 2022

Fish & Richardson Trademark Group Ranked Highly By *World Trademark Review* and *Managing IP*

News | April 7, 2021

Thirty Fish Attorneys Named to 2020 Capital Pro Bono Honor Roll

News | February 26, 2021

Fish & Richardson's Trademark Practice Receives Top Rankings by *World Trademark Review*

News | August 4, 2020

32 Fish & Richardson Attorneys Named 2020 "IP Stars" by *Managing Intellectual Property* Magazine

News | March 3, 2020

Fish & Richardson Named Top Trademark Law Firm for 10th Straight Year by *World Trademark Review*

News | May 22, 2019

Fish & Richardson Announces 32 Attorneys Named "IP Stars" by *Managing Intellectual Property* Magazine

News | February 21, 2019

Fish Named Top Trademark Law Firm for Ninth Straight Year by *World Trademark Review*

News | May 21, 2018

Fish & Richardson Announces 39 Attorneys Named "IP Stars" by *Managing Intellectual Property* Magazine

News | February 2, 2018

Fish & Richardson Named Top Trademark Law Firm for Eighth Straight Year by *World Trademark Review*

News | January 25, 2017

Fish & Richardson Named Top Trademark Law Firm for Seventh Straight Year by *World Trademark Review*

Media Coverage | August 2, 2016

Fitness Trackers, Wellness Apps Won't Be Regulated by FDA

Bloomberg BNA's Health Care DailyReport

News | January 21, 2016

Fish & Richardson Named Top Trademark Law Firm for Sixth Straight Year by *World Trademark Review*

Media Coverage | January 11, 2014

FDA Performance, Medicare Coverage, Pressure From Excise Tax on 2014 Agenda

Bloomberg BNA's Medical Devices Law & Industry Report

Media Coverage | October 13, 2011

FDA Tightening Its Approval Process

The Daily Transcripts

Media Coverage | August 11, 2010

Oxygen Chamber Makers War Over Market

Los Angeles Daily Journal

Media Coverage | August 11, 2010

Fish's Keith Barritt quoted in BNA's Medical Devices Law & Industry Report on 510 (k) Clearances

BNA's Medical Devices Law & Industry Report

Media Coverage | March 23, 2010

Wireless Medical Devices: Navigating Government Regulation in the New Digital Age

BNA's Medical Devices Law & Industry Report

Events

December 31, 2014

Wireless Medical Devices Conference 2014

April 29, 2014

What's in a name? Trademark and Copyright Law for Startups

March 27, 2014

BIOMEDevice Learning Labs, Boston

November 12, 2013

2013 International Trademark Association (INTA) Leadership Meeting

October 24, 2013

How To: Be Ready for the .Anything Domain Name Wave

September 25, 2013
2nd Annual Generic Top-Level Domain Names Summit

September 18, 2013
Protecting Your Trademarks in the New Generic Top-Level Domain Names

May 7, 2013
INTA 2013

February 21, 2012
NVTC Health Technology Committee Meeting

Additional insights

Publications

- “How To Build A 510 (k) Application For Your Mobile Medical App,” *Med Device Online* (October 6, 2015)
- “The Trademark Clearinghouse for New gTLDs: Beware the Hype,” *Law Lore & Practice* (September 2013)
- “Is Your Company Ready for ‘Anything?’” *Corporate Live Wire* (December 12, 2011)
- “Trademark Applicants Beware: US Trademark Office Raises Bar for Demonstrating a ‘Bona Fide Intent’ to Use Mark in US Commerce,” *Fish & Richardson Trademark Thoughts* (Spring 2010)
- “Drug Name Game,” *The National Law Journal* (May 12, 2003)

Speaking engagements

- “Trademarks 101,” Fish & Richardson Webinar (2019)
- “Regulatory mobile medical devices: Overcoming local and global challenges,” *MD&M East*, New York (2014)
- “Regulatory Guidance on mHealth and Wireless Medical Devices,” *BIOMEDevice Learning Lab*, Boston (2014)
- “It’s Kickoff Time! Protecting Your Trademarks in the New Generic Top-Level Domain Names,” *BNA Webinar* (2013)
- “Review Updated gTLD Application Processes to Determine Risks and Opportunities Presented by ICANN’s Program,” *World Congresses’s 2nd Annual Generic Top-Level Domain Names Summit* (2013)
- “Understanding current FDA Guidance to determine the impact on future regulations and the implications for wireless medical devices,” *UBM Canon’s Wireless Connectivity in Medical Devices East*, Boston (2012)
- “FDA Regulation of Software,” *Northern Virginia Technology Council Health Technology Committee Meeting* (2012)
- “The Future of Wireless Medical Devices – FCC, FDA, and Patent Considerations,” *Bloomberg BNA Webinar* (2012)
- “gTLD Update,” *83rd Pharmaceutical Trademark Group Conference*, Prague (2011)
- “Cosmic Shift Coming Soon to Internet Domain Name System,” *Fish & Richardson Webinar* (2011)
- “Regulation of Pharmaceutical Trademarks,” Princeton, NJ (2010)
- “FDA Regulation of the Export and Import of Medical Devices,” *Food and Drug Law Institute*, Washington, D.C. (2008)
- “FDA Regulation of Medical Devices,” *Georgia Life Sciences Summit*, Atlanta (2008)
- “Introduction to Medical Device Law and Regulation: Understanding How FDA Regulates the Medical Device Industry,” *Food and Drug Law Institute’s Workshop*, Washington, D.C. (2007)
- Government Intellectual Property Law Association Meeting, Washington, D.C. (2006)
- INTA Trademarks in Cyberspace Forum, Vancouver (2005)
- “Reverse Whois” online seminar (2004)
- “FDA Approval of Trademarks” seminar, Boston (2003)
- Trademark Law Presentation, 224th annual meeting of the American Chemical Society, Boston (2002)

Services

Trademark & Copyright Counseling & Prosecution
Strategic Counseling, Registration & Opinions
Domain Names & Internet
TTAB Oppositions & Cancellations
Regulatory & Government Affairs
Drug & Medical Device Regulation
mHealth & Telemedicine

Industries

Electrical & Computer Technology
Digital Health
Digital Media & E-Commerce
Energy & Chemicals
Life Sciences
Medical Devices
Transportation, Aerospace & Defense

Admissions

Virginia (1989)
District of Columbia (1991)

Languages

English
Spanish

Education

J.D., University of Virginia (1989) Editorial board member, *Virginia Journal of International Law* (1987-1989)
B.A. *cum laude*, Foreign Affairs and Philosophy, University of Virginia (1983)