




# Robert M. Oakes

## Principal

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## Overview

### About Bob

Robert Oakes is a principal in the Delaware office of Fish & Richardson P.C., with extensive experience in patent litigation, counseling, patentability and freedom to operate analyses, and licensing matters. His practice encompasses a full range of technologies, with a particular focus on the life sciences industry. Mr. Oakes has substantial experience in all aspects of patent litigation, including case management, document collection and production, managing teams of attorneys handling fact and expert discovery, trial work, and appeal. Mr. Oakes has substantial courtroom experience, including presenting witnesses at trial, presenting claim construction arguments, and arguing discovery motions. Mr. Oakes regularly counsels clients regarding intellectual property and patent strategy. He has significant experience conducting patentability analyses and freedom to operate analyses, and drafting and negotiating intellectual property licenses. Mr. Oakes also counsels business executives, scientists, and engineers regarding patent strategy, risk assessment, patentability and freedom to operate.

Prior to joining the firm, Mr. Oakes worked in the legal department of Johnson & Johnson (2006), and obtained technical experience at the Louis Berger Group (2004-2005) and Kansas State University (2002-2003).

## Focus Areas

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### Services

- IP Licensing, Transactions, and Agreements
- Opinions and Strategic Counseling
- Hatch-Waxman
- Patent Litigation

### Industries

- Chemicals
- Life Sciences
- Medical Devices
- Software

### Education

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J.D., University of Pennsylvania Law School (2008)

M.S., Biology, Kansas State University (2003)

B.S., Biology, Emory University (2001)

## Insights

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### Publications

Interview with Eric Kmiec, Ph.D, “Patent Issues Related to Gene Editing Technology” (June 14, 2018).

“Update on pleading standards in Hatch-Waxman cases,” *Fish Litigation Blog* (November 22, 2013).

### Presentations

“The Impact of Patent Term Extension on Litigation Under the Hatch-Waxman Act: A Look at the Federal Circuit’s Recent Decision in *Biogen v. Banner Life Scis.*,” co-speaker, *Fish Life Sciences Webinar*

(August 13, 2020).

“From Laboratory Science to Ethical Application,” co-speaker, CRISPR Gene Editing 360 Symposium, Delaware Bio (June 8, 2018).

“Update on Venue Decisions Post-TC Heartland,” co-speaker, *Fish Litigation Webinar* (March 22, 2018).

## Recognition

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Recognized by *Super Lawyers* as a Rising Star (2014 and 2015).

Selected to participate in the Delaware Federal Trial Practice Seminar, an intensive litigation seminar sponsored by the United States District Court for the District of Delaware.