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FISHERBROYLES

A LIMITED LIABILITY PARTNERSHIP

Stephen Driscoll

Steve is a registered patent attorney, and has been practicing intellectual property law for over 25 years. He's a practical, business-minded counselor who combines years of 1st chair IP litigation experience with extensive patent and trademark prosecution experience to manage his clients' intellectual property issues and needs.

Steve is prepared and successfully prosecuted hundreds of utility and design patent applications throughout his career, involving a variety of technologies –medical devices, biocompatible coatings, specialty chemicals, software/computer, fiber optics, active and passive optical devices, optical and electrical connectors, lasers and light emitting diodes, and telecommunications.

He has also frequently counseled clients in other aspects of intellectual property law, including litigation, licensing, and opinion work, as well as due diligence examinations, copyrights, trademarks, and post grant proceedings.

His awards and recognition include being named to America's Leading Lawyers in Intellectual Property Law by Chambers USA, 2011 to Present; Best Lawyers in America, Intellectual Property and Patent Law, 2011 to Present; and IP Stars 2014 to Present, Managing Intellectual Property.

Steve is a program organizer and presenter at the annual PBI Intellectual Property Law Institute. He has also served on various non-profit boards, including Independence Seaport Museum (Philadelphia), the Conservation Center for Art and Historical Artifacts (Philadelphia).

Prior to law school, Stephen was an engineer for Reliance Electric Company. Immediately prior to joining Fisher Broyles, he was a Partner at Saul Ewing Arnstein & Lehr LLP.

Representative matters:

- *Comaper v. Antec et al.* (2:05-cv-01103): Represented Comaper in patent infringement case related to computer cooling device. Led all aspects of the litigation including two jury trials (winning jury verdicts in both) and two appeals at the Federal Circuit. Won attorneys' fees for both trials. Negotiated favorable settlement.
- *Border Stylo et al. v. Google* (Case No. 91214020-OPP): Formed and jointly represented collation of companies owning IP assets related to the mark "Glass" in opposing Google's use of the mark. Settled favorably--quoted in Wall Street Journal: Google Bid to Trademark "Glass" Clears Obstacle, B5 (Monday August 4, 2014).
- *Envirosight v. Insight* (2:14-cv-06526): Represented plaintiff in false advertising case under Lanham Act and NJ Consumer Fraud Act. Settled favorably.

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Practice Areas

Intellectual Property

Litigation — Civil Pretrial and Trial

Services

Technology

Bar Admissions

Pennsylvania

New Jersey

USPTO

Education

Rutgers Law School, *JD*, 1993, Editor
Rutgers Law Journal

University of Pittsburgh, *MBA*, 1990,
Betta Gamma Sigma Honor Society

Lehigh University, *BS Chemical
Engineering*, 1985

Large Law Firm Experience

Saul Ewing Arnstein & Lehr, LLP

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- TM Patents v. LSI Inc. (1:12-cv-11416-DPW): Represented patent holder in infringement action regarding data storage devices and high-level switches. Settled favorably.
- WINCAN America v. CDLab (2009 WL 1668459, W.D.Ky. 2009): Represented CDLab in a trademark infringement case under the Lanham act, initially defending client successfully against a TRO motion, and then turning the tables on the plaintiff and obtaining a TRO and preliminary injunction against the plaintiff based on the same mark.
- Marketsource v Webvention (1:11-cv-01204): represented accused infringer; rather than paying license fee, filed a declaratory action in Delaware District Court seeking a determination that the patent was invalid or not infringed; stayed litigation pending outcome of PTO reexamination which ultimately determined patent to be invalid.
- Phillips v. Tactical et al. (2:10-cv-588-LDD): Represented Plaintiff in bringing action for reverse passing off under the Lanham Act, misappropriation, and conversion. Negotiated stipulated injunction.
- Large fiber optic company: Identified optical patent that had been previously dismissed as not being infringed, developed a different theory of infringement, asserted the patent against a Fortune 50 company, and closed a seven-figure license deal plus cross license to critical technology.