

CURRICULUM VITAE

NEIL ARTHUR SMITH
1335 Sugarloaf Drive
Alamo, CA 94507
Tel.: (cell) 415-3779280 neil.smith@comcast.net

EMPLOYMENT EXPERIENCE:

Private Law Practice: Partner, in two large and small general law firms in San Jose and San Francisco, CA, specializing in patent, trademark, trade secret, unfair competition and copyright matters, and Alternative Dispute Resolution (2013-present).

Alternative Dispute Resolution: Serve on several panels of neutrals and ADR organizations, in San Francisco, Silicon Valley, Washington D. C. and international, including Northern District of CA., Federal Circuit Court of Appeals, Silicon Valley Arbitration and Mediation Center, FedARB, and World Intellectual Property Organization. (1990- present).

Judicial: Administrative Patent Judge, United States Patent & Trademark Office, Patent Trial and Appeal Board, in Silicon Valley CA. hearing and rendering judicial opinions in patent cases (2012-2013).

Private Law Practice: Partner, in three mid-size general law firms in San Jose and San Francisco, CA, specializing in patent, trademark, trade secret, unfair competition and copyright matters (2001-2011) .

Private Law Practice: Associate and Partner, Limbach & Limbach L.L.P. (Intellectual Property Boutique) in San Francisco and San Jose, California, specializing in patent, trademark, unfair competition, trade secret, privacy, and copyright matters (1974-2000).

Federal Appeals Court Law Clerk: To Judge Giles S. Rich, United States Court of Customs and Patent Appeals in Washington, D.C. (Predecessor to the Court of Appeals for the Federal Circuit) (1972-1974).

Patent Attorney: United States Atomic Energy Commission, Washington, D.C., specializing in patent prosecution and government patent policy (1969-1972).

EDUCATION:

L.L.M. in Patent and Trade Regulation Law, George Washington Law School, 1973.

J.D. Columbia Law School, Columbia University, 1969. Stone Scholar.

B.S. in Mechanical Engineering, Columbia School of Engineering and Applied Science, Columbia University, 1966. Tau Beta Pi.

B.A. in Physical Sciences, Columbia College, Columbia University, 1965.

REPRESENTATIVE PUBLICATIONS:

Author of numerous articles on patent, trademark, copyright law, trade secret protection, and Internet law issues, including: "Complex Patent Suits: The Use of Special Masters for Claim Construction" 2, Landslide 1, Oct. 2009 (American Bar Association), "The Interface Between Antitrust Law and Trade Secret Law," 3, The Corporate Analyst, No. 1, p. 134, Nov. 1990, "Fraud Upon the Patent Office as a Violation of the Sherman Antitrust Law," 53 Journal of the Patent Office Society 337, 423; "The Collateral Estoppel Effect of a Prior Judgment of Patent Invalidity: Blonder-Tongue Revisited," 55 Journal of the Patent Office Society 285, 363, 436, 1973; "Obtaining Early and Effective Relief Against Trademark Counterfeiting," 10 COMM/ENT, Hastings College of the Law, No. 4, p. 1049, Summer 1988; author of Chapter 71 entitled "Discovery in Trademark Cases in the Courts and Trademark Trial and Appeal Board for Intellectual Property Counseling and Litigation; author of Chapter 10 entitled

“Trademarks, Creation Protection and Valuation,” for The Trademark Law of the United States; author of quarterly column entitled "Ninth Circuit Report," for "New Matter," a Publication of the State Bar of California Intellectual Property Section and for ABA Litigation Section; contributing author to book, Risky Business: Protect Your Business from Being Stalked, Conned, or Blackmailed on the Web, by Daniel S. Janal, John Wiley Sons, Inc., 1998. Author, Chapter "New Strategies for Infringement Litigation" Recent Trends in Patent Infringement Lawsuits. Aspatore/Thomson, 2010; Editorial Advisory Board, IP Litigator, Editorial Advisory Board, Internet Law & Business.

LECTURES AND COURSES:

Speaker on several patent, trademark, unfair competition, privacy, and Internet law subjects to various bar associations, law schools, and IP/law organizations, including San Francisco Intellectual Property Law Association, San Francisco Barristers Club, the California, Colorado, Washington State, Ohio, Oregon and Utah State Bar Associations; Intellectual Property Associations in Los Angeles, San Diego, Pacific Northwest, and Canada; American Patent Institute, Patent Bar Review course; Practicing Law Institute; NITA; American Bar Association, Litigation Section, Science & Technology, IP, and Legal Education, Sections; US Copyright Society; American Intellectual Property Law Association; International Trademark Association; Computer Law Association; Licensing Executive Society; Law schools, including Hastings Law School, Stanford Law School, Golden Gate Law School, Berkeley Law School, Santa Clara Law School; American Conference Inst.; Testified on the Draft Report of the United States Working Group on Intellectual Property Rights of the National Information Infrastructure Task Force, World Intellectual Property Organization; Officer and U.S. Reporter for ALAI.

BAR ASSOCIATION ACTIVITIES AND RELATED OFFICES HELD:

Served in the following capacities, among others: President, San Francisco Patent & Trademark Law Association; American Intellectual Property Law Association: Board of Directors, multiple Committee Chairs; American Bar Association, IPL Section: Chairman of several Divisions, and committees, including programs, education, and university IP, IPL Section delegate to ABA Special Committee on Legal Education, ABA RICO Committee; President, San Francisco Chapter, Licensing Executive Society; Member, Advisory Board of the Patent, Trademark and Copyright Journal of Bureau of National Affairs (Bloomberg); State Bar of California: Member of Executive Committees, including Intellectual Property Section, and Officer/Member of International Law Section, and Member of ADR Standing Committee, Co-Chair ADR Committee of Litigation Section, and State Bar Conference of Delegates; Member, U.S. Dept. of Commerce Public Advisory Committee on Trademark Office Affairs; Trustee, United States Copyright Society; Pres. Bay Area Intellectual Property Chapter, American Inns of Court. Appointed Intellectual Property Research Specialist, California Blue Ribbon Task Force on Nanotechnology. Mediation/Arbitration Panels of the US Federal Circuit Court of Appeals, US District Court Northern District of Ca., FedARB, World Intellectual Property Organization, and International Trademark Association.

AWARDS AND RECOGNITION:

- Named *U.S. IP Litigator of the Year*, "Managing Intellectual Property,"
- Named for over twenty-five years in "The Best Lawyers In America" for Litigation and Patent Law.
- Named in "Guide to World's Leading Experts in Patent Law;" "Who's Who of Internet and Electronic Commerce Lawyers;" "The International Who's Who of Business Lawyers" and the "International Who's Who of Trademark Lawyers" and "Chambers USA," "America's Leading Lawyers for Business"
- Named a *SuperLawyer* by "Northern California Super Lawyers"
- First Recipient of U.S. Patent and Trademark Office's Joseph Rossman Award
- Named to "The List of the World's Leading Technology Neutrals" by the Silicon Valley Arbitration and Mediation Center.