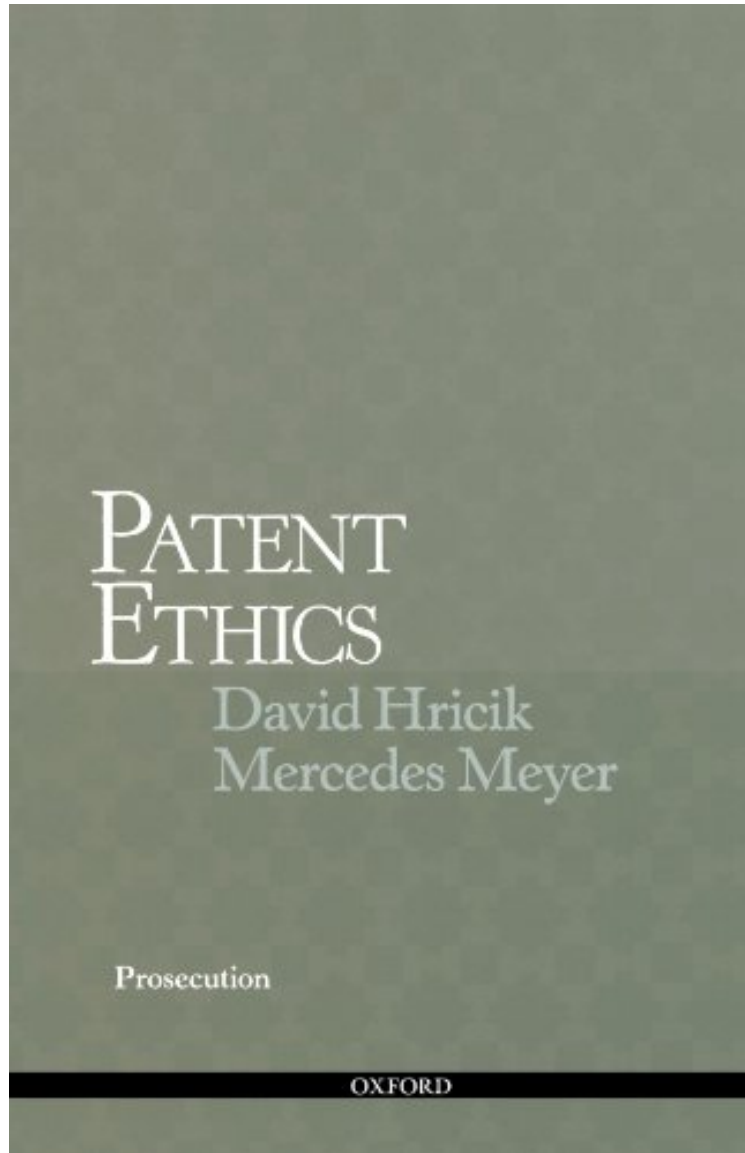


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Patent Ethics Prosecution

David Hricik, Mercedes Meyer

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2 of 2 people found the following review helpful. A great overview of patent-related ethical issuesBy John GibbsWhat conflict of interest pitfalls might there be if a patent attorney who helps a client obtain a patent subsequently acts for the same client in legal proceedings to enforce the patent? This is one of a large number of different ethical dilemmas considered by David Hricik and Mercedes Meyer in this book. The authors discuss in depth the ethical issues

associated with professional representation of patent applicants in the US. Some of the other ethical issues considered include: when advising a client might amount to unauthorized practice of law; determining which potentially conflicting ethical standards apply in a jurisdiction; identifying who the client actually is, and when representation starts and stops; duties owed to current and former clients; the duty of candor; and the meaning and consequences of inequitable conduct. An annotated version of the Patent and Trademark Office Code of Professional Conduct is included as an appendix, and another appendix contains numerous useful forms and checklists. While the material contained in the book is essential knowledge for US patent practitioners, much of it is also important knowledge for patent attorneys in other countries whose clients inevitably seek to obtain US patents. Many of the ethical dilemmas presented will provide good material for vigorous debate in the profession. The book is written in a clear, concise style.

Patent Ethics: Prosecution serves as an essential guide to the ethical issues arising in the course of the patent prosecution process. By providing relevant rules and case law, it allows practitioners to identify ethical problems before they arise and to address them most effectively when they do. Patent Ethics: Prosecution is the first of two volumes on patent ethics. This treatise is the first of its kind to combine the United State Patent and Trademark Office (PTO) rules with commentary by the authors, which distills the authors' own experience and expertise in patent prosecution into effective practice strategies.

I'm glad I was given the chance to review this book. I commend it to any reader in the private practice with an ambition to serve their clients at least as professionally as a reasonable court would expect of us Roy Marsh, CIPA Journal About the Author Professor Hricik has chaired the ethics and professionalism committees of both the American Intellectual Property Law Association and the IP Section of the ABA. He has taught patent law and professional responsibility, and also serves as a loss prevention consultant and as an expert witness in patent infringement suits, disqualification proceedings, and legal malpractice arising from both patent prosecution and litigation. He also has served as an expert on behalf of the PTO's Office of Enrollment and Discipline. Mercedes K. Meyer is a partner in the intellectual property group of Drinker Biddle Reath, where she strategizes with her biotechnology and pharmaceutical clients on their patent portfolio development and maintenance. She has an extensive biotechnology and pharmaceutical patent prosecution practice.