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JEFFREY P. KUSHAN is a partner with Sidley Austin LLP in Washington, D.C. He serves as a global coordinator of the Firm's national IP Litigation practice, and focuses his practice on patent litigation, patent appeals, and contested proceedings before the Patent Trial and Appeal Board (PTAB).

Jeff leverages his deep scientific and patent law experience to develop winning strategies in complex, high-stakes patent litigation. He has represented companies in a wide variety of types of patent litigation, including competitor litigation relating to groundbreaking cancer biologics, litigation under the BPCIA and Hatch-Waxman Act, and cases involving consumer electronics, software, industrial biotechnology and other technologies. He has an active practice before the Patent Trial and Appeal Board, where he has served as lead counsel in nearly 200 PTAB proceedings, presented arguments in more than 20 oral hearings. Jeff also has represented clients in interference and reexamination proceedings, as well as in patent appeals before the Federal Circuit and the Supreme Court. In addition to his work on patent litigation, Jeff advises clients, including trade associations, on domestic and international patent policy matters, including patent law reform, the BPCIA and Hatch-Waxman systems, and legislation concerning follow-on biological products.

Prior to entering private practice, Jeff served in the Patent and Trademark Office and in the Office of the United States Trade Representative in Geneva, Switzerland. During Jeff's time in government, he led efforts to develop biotechnology and software examination standards, worked on implementation of the TRIPS Agreement and other legislation, supported negotiations on patent law, environmental and trade agreements, was the chief U.S. negotiator for the 1996 WIPO "Internet" treaties, and represented the U.S. in WTO disputes involving the TRIPS Agreement. Jeff has testified numerous times before Congress on patent law reform and has lectured on domestic and international patent issues.

Jeff has earned many accolades for his patent litigation work. In 2017, he was recognized by the *National Law Journal* as an "IP Trailblazer." *Chambers* reports a client's description of him as "terrific and extremely knowledgeable in the patent office on IPR procedures" and portrays him as "an expert Hatch-Waxman litigator with extensive experience in district court and appellate proceedings." In 2003, Jeff was named by the *American Lawyer* as one of the top 45 lawyers in the U.S. under 45 across all disciplines.

#### Recognitions

- Jeff was named an "Intellectual Property Trailblazer" by the *National Law Journal* in 2017.
- *Chambers USA* has recognized Jeff annually since 2011.
- Jeff was shortlisted by *Managing IP* as one of the leading PTAB practitioners of 2015.
- *International Who's Who Legal* has recognized Jeff as a leading practitioner in intellectual property or life sciences since 2008.
- PLC has recognized Jeff since 2003 as a leading lawyer in life sciences, intellectual property or IP business transactions.
- IAM has recognized Jeff as one of the world's leading patent professionals in its *IAM 1000* publication annually since 2013.

- Jeff was named one of top 45 lawyers in the country under the age of 45 by *American Lawyer* magazine in 2003.
- Jeff has been recognized by *Best Lawyers of America* annually since 2008 for life sciences or intellectual property.

#### **Memberships & Activities**

- American Bar Association, Intellectual Property Section
- American Intellectual Property Law Association
- U.S. Government Industry Functional Advisory Committee (ITAC - 13) (Intellectual Property)

#### **Admissions & Certifications**

- District of Columbia
- U.S. Court of Appeals, Federal Circuit
- U.S. District Court, E.D. of Virginia
- U.S. Patent & Trademark Office
- U.S. Supreme Court
- Virginia

#### **Education**

- The George Washington University Law School (J.D., 1992, with honors)
- University of North Carolina - Chapel Hill (M.A. in Chemistry, 1987, specialization in protein chemistry)
- College of William and Mary (B.S. in Chemistry, 1985)