



Eldora L. Ellison, Ph.D.
Director



Eldora L. Ellison, Ph.D., is a director in Sterne Kessler's Biotechnology & Chemical and Trial & Appellate Practice Groups. Dr. Ellison is a co-chair of the firm's Patent Office Litigation Practice. Over the course of her 28-year career, She has gained extensive experience in *inter partes* patent matters, building on a strong foundation in patent prosecution. Her experience includes representing clients in over 75 *inter partes* review and post-grant review proceedings, more than 15 patent interferences, and in various patent reexaminations and district court litigations. For example, Dr. Ellison was lead counsel on behalf of patent owner ImmunoGen in *Phigenix v. ImmunoGen*, 845 F.3d 1168 (Fed. Cir. 2017), in which the Federal Circuit — for the first time since the Court's inception — established the legal standard for demonstrating standing in an appeal from a final agency action. The Court subsequently dismissed Phigenix's IPR appeal for lack of standing.

Most recently, Dr. Ellison serves as the lead patent strategist for the University of California on its ground-breaking, Nobel prize-winning CRISPR technology, and has led the University's renewed interference proceedings. In 2021, author Walter Isaacson highlighted Dr. Ellison in his acclaimed book *Code Breaker* about the inventors of CRISPR.

Dr. Ellison's practice also includes preparing and prosecuting patent applications; evaluating patent portfolios (e.g., for due diligence analyses, invalidity, non-infringement, or freedom-to-operate); counseling clients on intellectual property strategy, including Hatch-Waxman issues; and resolving inventorship disputes. She represents a variety of types of clients, including large multinational corporations, start-up companies, and not-for-profit organizations.

Dr. Ellison's intellectual property experience has been principally in technical areas such as biotechnology, pharmaceuticals, molecular biology, therapeutic methods, diagnostic assays, analytical instruments, immunology, virology, bacteriology and vaccines. However, she is also called upon to represent clients in other technical areas, given her specialized legal expertise.

Dr. Ellison has been recognized as a leading practitioner in the life sciences, and she has served as an expert witness on patent matters. After receiving *LMG Life Sciences*' "Post Grant Proceedings Attorney of the Year" award in 2017 and 2019, Dr. Ellison was inducted into the organization's prestigious Hall of Fame in 2021. *Managing Intellectual Property* nominated her for its "PTAB Litigator of the Year" award, and it has named her an "IP Star" in 2021 for the ninth year in a row, while also including her in their "Top 250 Women in IP." *The Legal*

500 recognized Dr. Ellison as a "Leading Lawyer" since 2020 and a "Recommended Lawyer" in 2018 and 2017 for U.S. reexamination and post-grant proceedings. In 2018, she also received the Haverford College Alumni Distinguished Achievement Award for outstanding contributions to her field. The *National Law Journal* recognized her as one of its "Top 50 Litigation Trailblazers." *Law360* named her an "MVP in Life Sciences" in 2015. *LMG Life Sciences* nominated her for its "Patent Prosecutor of the Year" award as well as "PTAB Litigator of the Year" in 2016, and it has named her a "Life Sciences Star" since 2012. *Profiles in Diversity Journal* listed her among "Black Leaders Worth Watching" in 2020 and "Women Worth Watching" in 2016. In 2016, *IAM Patent 1000* named her as one of the world's leading patent professionals and "highly recommended" for post-grant procedures and litigation. Dr. Ellison has often been quoted in publications such as *IPLaw360* and *The Washington Post* for her analyses of developments in patent law.

Dr. Ellison is a contributing author of *Patent Office Litigation, Second Edition*, published in 2017. Additionally, she is an editor of *Patent Office Litigation*, a two-volume set focused on the new contested proceedings under the America Invents Act, published in 2012 by Thomson Reuters Westlaw. This book examines how the proceedings interact with other aspects of patent procurement and enforcement, and it delivers practical analysis and advice.

She lectures and publishes frequently on topics such as the America Invents Act, patent interferences, patent reexaminations and concurrent patent litigation, and patents and licensing. Dr. Ellison has also served on the faculty for the District of Columbia Bar's Continuing Legal Education Program.

Dr. Ellison is a member of the firm's Executive Committee, and she previously chaired the firm's Professional Development Committee and the Diversity Committee. Dr. Ellison also serves as a member of the Diversity and Inclusion Committee for the Intellectual Property Owners Association, and previously served as a Co-chair of the Association's Black IP Professionals Resource Group. She also previously served as a Member of the Board of Directors for Turning Point Academy Public Charter School in Maryland, and she has recently been elected to the Board of Trustees for Cornell University.

Dr. Ellison earned her J.D. from Georgetown University Law Center, her Ph.D. in biochemistry, molecular and cell biology from Cornell University, where she serves on the Board of Trustees. Dr. Ellison holds a B.S. in biology from Haverford College.

Education

J.D., Georgetown University Law Center

Ph.D., Biochemistry, Molecular and Cell Biology, Cornell University

B.S., Biology, Haverford College

Achievements

- *IAM Strategy 300*, "Global Leaders Guide" (2022)
- *LMG Life Sciences*, Hall of Fame Inductee (2021)
- *LMG Life Sciences*, "Life Sciences Star" (2021 - 2012)
- *IAM Strategy 300*, "A Guide to the World's Leading IP Strategists" (2021)
- *Profiles in Diversity Journal*, "Black Leaders Worth Watching" (2020)
- *World Intellectual Property Review*, "WIPR Leaders" (2021 - 2018)
- *IAM Patent 1000*, "National: Highly Recommended - Post-Grant Proceedings; Washington, DC: Patent Litigation (Bronze Band)" (2021)
- *IAM Patent 1000*, "National: Highly Recommended - Post-Grant Proceedings; Washington, DC: Patent Litigation (Silver Band)" (2020 - 2018)
- *Managing IP*, "Top 250 Women in IP" (2021 - 2016)
- *Managing IP*, "IP Star" (2021 - 2013)
- Haverford College, Alumni Distinguished Achievement Award (2018)
- *LMG Life Sciences*, "Finalist - Post Grant Proceedings Attorney of the Year" (2020, 2018)
- *The Legal 500*, "Leading Lawyer - Patent Prosecution (including reexamination and post-grant proceedings)" (2022 - 2020)
- *The Legal 500*, "Highly Recommended Lawyer - Patent Prosecution (including reexamination and post-grant proceedings)" (2018 - 2017)
- *IAM Patent 1000*, "Washington, D.C.: Patent Litigation (Silver Band)" (2018 - 2017)
- *LMG Life Sciences*, "Post Grant Proceedings Attorney of the Year" (2019, 2017)
- *Profiles in Diversity Journal*, "Women Worth Watching" (2016)
- *IAM Patent 1000*, "Highly Recommended Lawyer - Post-Grant Procedures and Litigation" (2016)
- *National Law Journal*, "Litigation Trailblazer" (2015)
- *Law360*, "'MVP' in the Life Sciences category" (2015)

Bylined Articles

Case Studies and Trends at the PTAB Involving 35 U.S.C. § 112

Sterne, Kessler, Goldstein & Fox, March 7, 2022

David H. Holman, Ph.D., Eldora L. Ellison, Ph.D., and Kirsten AK Weigel-Van Aken, M.D.

Promoting Diversity in IP Law: How Small Actions Can Lead to Big Changes

World Intellectual Property Review, August 5, 2020

Eldora L. Ellison, Ph.D. and Gaby L. Longworth, Ph.D.

1.132 Declarations for Traversing Rejections

Sterne, Kessler, Goldstein & Fox, July 7, 2020

Bonnie W. Nannenga-Combs, Ph.D., Eldora L. Ellison, Ph.D., and Tyler C. Liu

Patenting Personalized Nutrition Is Challenging But Feasible

Law360, April 23, 2020

Eldora L. Ellison, Ph.D. and Paul A. Calvo, Ph.D.

How District Courts Treat Patent Eligibility In Life Sciences

Law360, October 20, 2017

Eldora L. Ellison, Ph.D. and Jaume M. Canaves, Ph.D.

A Survey Of Patent Owner Estoppel At USPTO

Law360, September 26, 2017

Eldora L. Ellison, Ph.D.

PTAB At 5: Part 1 — Surprises And Lessons Learned

Law360, September 11, 2017

David W. Roadcap, Ph.D., Eldora L. Ellison, Ph.D., and Pauline M. Pelletier

The Evolving Scope of Estoppels Arising from Inter Partes Reviews

Bloomberg BNA, June 2, 2017

Eldora L. Ellison, Ph.D. and R. Wilson "Trey" Powers III, Ph.D.

Top 5 PTAB Tips for Big Pharma

New Jersey Law Journal, April 3, 2017

Eldora L. Ellison, Ph.D. and R. Wilson "Trey" Powers III, Ph.D.

The Post-AIA Battleground For Patent Challenges

Law360, September 14, 2016

Mark Consilvio, Eldora L. Ellison, Ph.D., R. Wilson "Trey" Powers III, Ph.D., and Robert Greene Sterne

Inter Partes Reviews: The Effect of Estoppel

World Intellectual Property Review, December 28, 2015

Eldora L. Ellison, Ph.D. and David H. Holman, Ph.D.

Diagnostic Method Patents — Not All Hope is Lost

Westlaw Journal: Intellectual Property, December 8, 2015

Eldora L. Ellison, Ph.D. and David W. Roadcap, Ph.D.

The 1st IPR Institution Decisions For Biosimilars

Law360, August 21, 2015

Eldora L. Ellison, Ph.D. and Paul A. Calvo, Ph.D.

BYLINED ARTICLES

Post-Grant Proceedings Are Important For Biosimilars

Law360, March 19, 2015

Paul A. Calvo, Ph.D. and Eldora L. Ellison, Ph.D.

The Curious Case of RPIs & NPEs in IPRs

Bloomberg BNA Patent Trademark & Copyright Journal, February 28, 2015

Eldora L. Ellison, Ph.D. and Krishan Thakker

Note: *A comprehensive version of Dr. Ellison's professional biography, including speaking engagements, media mentions and quotes, and other thought leadership material is available at <https://www.sterneessler.com/professionals/eldora-l-ellison>*