



# Stephen C. Hall

## Partner

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### Location

500 West Jefferson Street  
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### Honors



*Stephen Hall is well respected by market sources for his "strong business acumen" and "technical expertise," which allows him to "easily relate to our needs and clearly see a path of direction." He has experience litigating patent matters before federal courts and the USPTO. Clients say: "He pays close attention to detail. He promptly tends to issues and always follows through. It gives the impression that you are the most important client to him and the firm." Chambers USA America's Leading Lawyers for Business*

*Chambers and Partners USA 2012 - present in the area of Intellectual Property*

*Woodward/White's Best Lawyers in America® Biotechnology Law, 2007-2019, and Trade Secrets Law, 2017-2019*

*Highest Professional AV Rating by Martindale-Hubbell Law Directory*

*Kentucky Super Lawyers® 2013 - present in the area of Intellectual Property*

*Recognized as one of the "Top Lawyers" in the area of Patent Law by Louisville Magazine, March 2014*

### Education

Stephen Hall is leader of the Firm's Intellectual Property Protection & Litigation Service Team. He focuses his practice on both patent filing/prosecution before the United States Patent and Trademark Office as well as patent litigation in the federal courts. A former research chemist, Steve handles a broad range of technical fields, including: alternative energy, chemical detection and material collection, catalysts, chemical processes, computer software, electro-mechanical devices, food safety, genetics, laboratory developed tests, mechanical devices, medical devices, paints, plant-made drugs and compounds, printing systems, sporting goods, and water quality testing.

Steve handles all phases of patent litigation, including pre-filing investigation into competitors' infringement, patent validity, claim construction, expert discovery, dispositive motions, and written and oral advocacy. As a registered patent attorney before the USPTO, a significant part of his practice involves obtaining patents for clients. Steve's experience before the Patent Office enhances his ability to defend clients accused of patent infringement. At the same time, Steve's experience with patent litigation sharpens his approach to obtaining meaningful claims that protect clients' inventions against infringers. In addition to advocating for clients and their technologies before courts and the Patent Office, Steve handles patentability searches, freedom to operate analyses, product clearance studies, non-infringement analyses, product marking, patent validity studies, infringement opinions, and technology licensing. Steve is a frequent speaker at seminars for a variety of audiences; a representative listing of his talks is shown under "Presentations."

Steve is primarily a visual thinker and communicator, who sees his cases as stories that must be developed and told well.

### Representative Matters

- Obtained multiple patents for our client, a large metropolitan research University, in a broad range of fields that includes bioengineering, chemical, and engineering.
- Obtained foreign patents for our client, a University with strong multidisciplinary research programs, covering water quality testing and analyte detection.
- Obtained sporting goods patents for various clients including baseball equipment, bowling balls, fitness exercise, and motor sports.
- Represented our client, the plaintiff, in a patent infringement lawsuit involving electronic safes and related devices with cash management features.
- Defended our client in a patent infringement lawsuit related to drop safes and mechanical locking safes.
- Defended our client in a patent infringement lawsuit involving computer-to-plate printing methods.
- Represented our client, a developer of proprietary formulations in the animal feed industry, in the negotiation of several license agreements with large animal feed companies.
- Represented our client, the Estate of a well-known inventor and television personality, in a patent licensing program.
- Represented the petitioner, a commercial truck seller, before the state Supreme Court, successfully briefing and arguing that arbitration provisions in commercial contracts are valid and enforceable under the Constitution's commerce clause.

### Presentations

Steve is a frequent speaker on topics including genetics, pharmacogenomics and diagnostics, nanotechnology, chemical patents, commercialization of inventions, and clinical trials. Nationally, he has spoken before the American Bar Association, the American Psychiatric Association, the Federation of Defense and Corporate Counsel, the Defense Research Institute, and the Diagnostics Conference.

1992 – J.D., University of Cincinnati College of Law

1988 – B.A. (Chemistry), *magna cum laude*, University of Louisville

## Admissions

Kentucky

United States Patent & Trademark Office

United States Court of Appeals, Federal Circuit

United States Court of Appeals, Sixth Circuit

United States District Court, Eastern and Western Districts of Kentucky

- "Envisioning Success: Visual Thinking Strategies for Avoiding Intellectual Property Problems," Wyatt In-House Counsel Institute, June 22, 2016.
- "Using the AIA's First to File Rule and the Written Description Requirement to Invalidate Patents," Defense Research Institute's Intellectual Property Seminar, May 6, 2016.
- "Clearing the Hurdles: Patent Examination at the USPTO," Nucleus LaunchIt Program, October 30, 2014.
- "The Changing Landscape of Patent Litigation: Fee Awards and Exceptional Case Status," June 17, 2014.
- "Fee Awards in Exceptional Cases," June 10, 2014.
- "Building Fences: Creating the Right IP to Protect Your Most Important Ideas," LaunchIt Series, November 4, 2013.
- "Protecting Your Ideas: The Importance of Breadth, Clarity, and Strategy," XRateHealth, October 9, 2013.
- "Protecting Your Ideas: What Every Inventor Should Know About 'First-to-File' and The America Invents Act," March 19, 2013.
- "The America Invents Act: Are You and Your Business Prepared?" Tennessee Bar Association, Memphis, February 19, 2013.
- "Protecting Your Intellectual Property," Nucleus' Kauffman TechVenture FAST-TRAC®, April 10, 2012.
- "The American Invents Act," November 18, 2011.
- "Protecting Your Intellectual Property," Nucleus' Kauffman TechVenture FAST-TRAC®, October 25, 2011.
- Commercializing Your Idea: "Protecting Intellectual Property," October 13, 2011.
- "The America Invents Act," October 4, 2011.
- "Protecting Your Intellectual Property While Commercializing It," May 26, 2011.
- "Protecting Your Life Sciences Company," May 18, 2011.
- "Patenting Diagnostic Methods and Compositions," The Diagnostic Conference, Boston, March 22, 2011.
- "Patent Law Essentials: Why, What, Who, When, and How," February 16, 2011.
- "Managing the Ripple Effect of "Public" Activities Surrounding Your Technology." May 20, 2010.
- "Recognizing and Avoiding the Pitfalls of a Joint Research Program," April 23, 2010.
- "Starting Up: Balancing Your Roles / Things You'd Wish You Knew," April 15, 2010.
- "There's a Doc for that: Legal Documents for Commercializing Your Invention," International Society for Automation, March 15, 2010.
- "Risk Management for Clinical Trials: What's in Your Forms?," April 18, 2006.

## Publications

- "The Impact of President Trump's IP-Related Appointments," *Finding IP Value* (January 2017)
- Quoted in "Intellectual Property Law Has a Real-World Impact on Businesses," *Louisville Business First* (March 2016).
- Quoted in "Many Options to Protect Intellectual Property," *The Lane Report* (February 2016).
- "Changes in U.S. Patent System Bring a Fundamental Shift," (January 2013).
- "An Overview of a Recent Court Challenge to the Protection of Biomarkers as Intellectual Property," Hall SC, et al, *Clin Chim Acta* (2011), doi:10.1016/j.cca.2011.01.024.
- "Law and Medicine: Federal Appeals Court rules that Biomarker Tests are patent eligible, expect to see tests promoted, commercialized and integrated into healthcare," (March 2010).
- "Risk Management Applications from TGN 1412 Clinical Trial," Biotech Briefing of the American Bar Association / Section of Science and Technology, Vol. 2, No. 4, p. 3 (July 2006).
- "The Physician's Duty and Role in Communicating with Family Members' Regarding Results of Patients' Genetic Testing," April 2005.
- "Kentucky Supreme Court Adopts Separability Doctrine For Agreements to Arbitrate," American Bar Association Section of Business Law Newsletter, Vol. 12, Issue 2, Spring 2004.

- "Court Prohibits Experts From Testifying that Cell Phones Can Cause Brain Cancer," February 2003.
- "The Impact of Genetic Medicine on Civil Litigation," January 2003.
- "Defending the Product Liability Action," April 2002.
- "The Defendant's Right to Compel Genetic Testing," For the Defense, October 2000.
- Mr. Hall is also a regular contributor to Wyatt's IP blog "Finding IP Value."