BANNER WITCOFF



Brian Emfinger

Attorney
Chicago, IL
bemfinger@bannerwitcoff.com
Main: 312.463.5000
Fax: 312.463.5001

With over 15 years of legal experience, Brian helps his clients procure, protect, and enforce their intellectual property. He understands that patents can drive competitive advantages in different ways depending on a client's business objectives—whether through market exclusivity, licensing revenue, defensive positioning, or investor confidence. Leveraging his background in computer science and his experience as a former software developer, Brian strives to understand each client's unique goals and tailor their patent strategies to meet those goals.

Brian focuses his practice on strategic patent portfolio development for clients of all sizes across domestic and international jurisdictions. He manages worldwide patent portfolios and has helped clients obtain patent protection in a wide variety of technologies, including 4G/5G/WiFi telecommunications, video and image coding, the Internet-of-Things (IoT), industrial automation, cybersecurity and network maintenance, content delivery, remote and virtual computing, voice recognition, search engines, artificial intelligence and machine learning, virtual/augmented/mixed reality, scientific instruments and equipment, military systems, fintech, insurtech, ecommerce, business methods, and footwear.

Beyond patent procurement, Brian counsels clients in all aspects of intellectual property law. He has prepared opinions related to freedom-to-operate, validity and invalidity, and infringement and non-infringement. He also provides strategic support in adversarial matters, including district court litigation. At the Patent Trial and Appeal Board (PTAB), Brian has represented both patent owners

and petitioners in numerous inter partes review proceedings. Additionally, he has helped clients obtain trademark protection and resolve domain disputes.

Education

Georgia Institute of Technology
2004, B.S., Computer Science

Chicago - Kent College of Law
2009, J.D.

Admissions

Bar Admissions
2009, Illinois

Court Admissions
U.S. District Court for the Northern District of Illinois
U.S. Patent and Trademark Office

Practices

Counseling, Opinions + Licensing
Design Patents
PTAB Litigation
Patent Prosecution

Industries

Artificial Intelligence

Defense Space

Electrical + Computer Technologies

Internet, E-Commerce + Business Methods

Accolades

- Recognized as a "Leading Lawyer" by Leading Lawyers, a division of Law Bulletin Media, 2026
- Recognized as an "Emerging Lawyer" by Leading Lawyers, a division of Law Bulletin Media, 2019-2023
- Recognized as an Illinois "Rising Star" for intellectual property law by Super Lawyers, 2019

Affiliations/Memberships

Member, Intellectual Property Law Association of Chicago

Recent News + Events + Related Publications

EVENT - 09.08.26

Banner Witcoff Attends the 2026 IPO Annual Meeting

EVENT - 09.08.26

Banner Witcoff Joins Pittsburgh Robotics Network’s Robotics & AI Discovery Day

EVENT - 03.02.26

Balancing IP Costs: Strategies for Corporate Counsel

EVENT - 03.05.25

Allocating IP Budget to Maximize Impact

NEWS - 01.13.25

20 Banner Witcoff Attorneys Listed as 2025 Illinois Leading, Emerging Lawyers

NEWS - 01.22.24

PTAB Highlights | Takeaways from Recent Decisions in Post-Issuance Proceedings