

**Richard S. Stockton**

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Richard advises clients on all aspects of intellectual property law, including tactical and strategic counseling, portfolio management, litigation and prosecution matters. Exemplary achievements include:

- Prosecuting hundreds of utility patent applications and thousands of US design patent applications before more than 100 US Patent and Trademark Office (USPTO) examiners; managing thousands of foreign design applications in more than 100 jurisdictions and 140 countries
- Obtaining hundreds of trademark registrations, copyright registrations and foreign counterparts (through foreign counsel)
- Serving as counsel of record in dozens of patent, trademark and copyright litigations, and assisting with many more IP litigations
- Litigating inter partes review petitions at the USPTO
- Prevailing in dozens of domain name arbitrations, and negotiating numerous no-decision settlements and acquisitions
- Managing multiple IP portfolios with thousands of properties worldwide, coordinating the transfer of a >10,000 property portfolio and supervising buyer/seller IP due diligence in large acquisition and IPO contexts
- Supervising infringement, invalidity, and counterfeiting investigations worldwide; drafting cease and desist letters and responses; rendering infringement, invalidity/unenforceability and freedom-to-operate opinions; and preparing licensing agreements and IP holding company transfers
- Drafted [US Supreme Court amicus brief](#) regarding trade dress functionality
- Counseling on EPA, FDA, FTC and other labelling and compliance matters

Richard earned a Bachelor of Science degree in Electrical Engineering from the University of Illinois at Urbana-Champaign (UI) in 1997. He graduated from the UI College of Law cum laude in 2000, where he was the Editor-in-Chief of The University of Illinois Journal of Law, Technology & Policy, the Legislation Editor of the Illinois Law Update section of The Illinois Bar Journal and a founder of Modern Trends in Intellectual Property.

Bar Activities

- American Bar Association, Section of Intellectual Property Law (ABA)
 - Patents Division, Vice Chair, 2021-present
 - Standing International IP Task Force, Chair, 2021-present, Vice Chair, 2019-2021
 - Patent Systems Policy Committee, Vice Chair, 2019-2021
 - Patent Litigation Committee, Chair, 2017-19, Vice-Chair 2013-17
 - Technology for the Litigator Committee (ABA Section of Litigation), Co-Chair, 2010-13, Newsletter Editor-in-Chief, 2006-10
- American Intellectual Property Law Association (AIPLA)
 - Amicus Committee, 2020-present
 - International and Foreign Laws Committee, Co-Chair, 2018-20
 - Industrial Designs Committee, Chair, 2016-18, Vice-Chair, 2014-16
- International Trademark Association (INTA), Saul Lefkowitz Moot Court Committee

- National Chair, 2016-17, National Vice-Chair and Bench Memo Committee Chair, 2015-16, Project Team Member, 2013-present
- Chicago Regional Competition Chair, 2013-2015, Vice-Chair, 2011-13, Committee Member, 2006-present, Bailiff, 2000-06
- Oral Argument Judge, Asia-Pacific Moot Court Competition (Singapore), 2019
- Intellectual Property Owners Association (IPO)
 - Industrial Designs Committee, Member, 2013-present
- ICANN IP Constituency, Banner Witcoff Primary Representative, 2016-19
- Member: ABA, AIPLA, INTA, IPO, Illinois State Bar Association, Intellectual Property Law Association of Chicago

Teaching Activities

- Adjunct Professor, IP Litigation Pretrial Skills
 - Northwestern University (NU) School of Law, LITARB 614A, 2012-18, 2020
 - Georgetown University Law Center, LAWJ-293-07, 2004-11
- Guest Lecturer, Fundamentals of Legal Practice, UI College of Law, 2015-16, 2018-19
- Class panelist: NU School of Law, UI College of Law, IIT Chicago-Kent College of Law, Loyola University Chicago School of Law

University of Illinois Alumni Activities

- Chicago Illini Leadership Council, Chair, 2015-16, Member, 2014-20
- Athletic Board, Member, 2012-16; Athletic Director Search Committee, Member, 2015-16
- College of Law Board of Visitors, Member, 2005-11
- Campus Alumni Advisory Board, Member, 2006-12
- Mentor, law and engineering students
- Member: President's Council, John E. Cribbet Society, UI Alumni Association Life Member

Exemplary Presentations and Panels

- Panelist, "Design Patent Claims Amendment, Reissue, Validity Challenges: Recent Court Treatment and USPTO Guidance," Strafford Webinar, 2021
- Moderator, "Emerging IP Abroad: Approaches to Protecting Computer Functionality and Designs Outside the US," AIPLA Virtual Spring Meeting, 2020
- Presenter, "Industrial Design Rights: Global Themes Distilled from Experiences in the United States," IP Office of Singapore, 2019
- Presenter, "Enforcing Designs Under US Patent, Copyright, and Trademark Law" and "Apple v. Samsung: A Case Study," IP Protection for Industrial Designs: An International Perspective, USPTO Global IP Academy, 2018
- Moderator, "Perspectives on IP Brinkmanship Between the US and China in the Current Global Trade Environment," ABA Annual Meeting, 2018
- Presenter, "Introduction to Design Litigation," AIPLA Design Rights Boot Camp, 2018
- Presenter, "Defending Design Patent Litigations: If Something's Amiss, Move to Dismiss," Design Day, 2017
- Moderator, "The Wide World of Designs: Best Practices for the Procurement of Design Patents Across Borders and in the U.S.," AIPLA Mid-Winter Institute, 2016
- Public Speaker, "Roundtable Event on the Written Description Requirement for Design Applications," USPTO, 2014
- Presenter, "Design and Utility Patents, Trade Dress, and Copyright: How to Prosecute and Enforce Multiple Layers of IP Protection," IPO Chat Channel, 2013
- "Design Patent Functionality After Egyptian Goddess and Richardson: The Assumption of Claim Construction Dysfunction and Gumption," AIPLA Spring Meeting, 2013
- "Owens Poems and High Point Haikus," Industrial Design Committee Meeting at AIPLA Annual Meeting, 2013
- Panelist, "Computer Fraud and Abuse Act," Northwestern School of Law, 2013
- "Shall I Complain or Abstain about a Domain," Banner & Witcoff Corporate IP Seminar, 2012
- New gTLD Overview, gTLD Opposition Overview, American Marketing Association Podcasts, 2011, 2012
- Public Panelist, "Designs in Recent Court Decisions," Design Day, USPTO, 2010

Exemplary Publications

- "Leveraging Amended Patent Law to Protect Design in China," Law360 Expert Analysis, 2020
- "Hague Weighed: Should I Change My Design Filing Strategy?," Inside Counsel, 2015
- "The Written Description Requirement in U.S. Design Patent Prosecution: Background and Recent Developments," AIPLA Roundtable, 2014
- "Turkey Shoot: How Sam Keller's Spat May Flower into a Multi-Billion Dollar War Against the NCAA and College

Amateurism," Intellectual Property Today, 2013

- "A Hague Accolade: U.S. Poised to Join an International Design Protection System," IP Frontline and IP Law360, 2012-2013
- "Grappling with Keywords in the Fourth Circuit," IP Law360, 2011
- "USC's Trojans Hit a Home Run in a Trademark Battle over 'SC,'" B&W IP Update, 2010
- "The Patent and the Pendulum: The Oscillating Interface of Antitrust and Patent Law," Prepared for the ABA Antitrust Section's "Competition and Innovation in High-Tech Industries" Conference, 2002 (co-authored with Mark T. Banner)

Richard also has governmental relations and policy experience. He has prepared draft legislation, and served as a legislative extern to the Illinois House of Representatives. Richard also interned in Congress.

In Chicago, Richard serves on the Roscoe Village Neighbors Board of Directors, and appeared with his daughter in Ballet Chicago's The Nutcracker in 2017-19. His other volunteer activities have included serving on the Chicago Public Schools Local School Council for Audubon Elementary School and the Champaign Liquor Advisory Commission, and volunteering as an instructor for Presidential Classroom for Young Americans in Washington, D.C.

Richard's pro bono work includes representing Lincoln Park Zoo and Timeline Theatre in Chicago, and he also volunteered for the Chicago-Kent Patent Hub, part of the USPTO Patent Pro Bono Program, from 2017-20.

Education

University of Illinois at Urbana-Champaign
1997, B.S., Electrical Engineering

University of Illinois College of Law
2000, J.D., *Cum Laude*

Admissions

Bar Admissions

2000, Illinois

Court Admissions

U.S. Supreme Court

U.S. Court of Appeals for the Federal Circuit

U.S. District Court for the Northern District of Illinois

U.S. District Court for the Central District of Illinois

Accolades

- Recognized as a "Patent Star," Managing IP magazine, 2013-2021
- Recognized as a leading trademark practitioner, World Trademark Review 1000, 2018-2021
- Listed as a key member of the firm's trademark practice, The Legal 500, 2018-2020
- Named a "Trademark Star," Managing IP magazine, 2019-2021
- Selected for "40 Illinois Attorneys Under 40 to Watch," Law Bulletin Publishing Co., 2015
- Listed as an "Illinois Rising Star," Super Lawyers, Thomson Reuters, 2008-2015
- Named an "Emerging Lawyer," Leading Lawyers, a division of Law Bulletin Media, 2015

Recent News + Events + Related Publications

EVENT - 10.27.21

Banner Witcoff's Richard Stockton to Participate in IPO Program

EVENT - 10.12.21

Richard Stockton to Speak at 2021 AIPLA Annual Meeting

NEWS - 10.11.21

IP Alert | Recital of the Right Title is Vital to the Aim of Your Claim

NEWS - 09.28.21

INTA Appoints Eight Banner Witcoff Attorneys to Serve on Committees

[NEWS - 08.03.21](#)

Managing IP Recognizes Banner Witcoff in 2021 "IP Stars" Guide

[NEWS - 02.19.21](#)

WTR 1000 Recognizes Banner Witcoff's Trademark Practice, Trio of Attorneys

[NEWS - 10.28.20](#)

Rich Stockton Examines Amendment to Chinese Patent Law for Law360 Expert Analysis

[NEWS - 05.05.20](#)

Managing IP Names 17 Banner Witcoff Attorneys in 2020 "IP Stars" Guide

[LIBRARY - 04.28.20](#)

Circuit Split Resolved: Supreme Court Rules Willful Infringement is Not Required to Award Profits in Trademark Cases

[NEWS - 04.28.20](#)

IP Alert | Circuit Split Resolved: Supreme Court Rules Willful Infringement is Not Required to Award Profits in Trademark Cases

[NEWS - 02.14.20](#)

WTR 1000 Ranks Banner Witcoff as Top Trademark Firm, Recognizes Five Attorneys

[EVENT - 07.17.19](#)

Rob Katz and Richard Stockton to Speak at AIPLA Design Rights Boot Camp

[NEWS - 05.31.19](#)

The Legal 500 Recognizes Banner Witcoff for Patent and Trademark Practices in 2019 Edition

[NEWS - 05.21.19](#)

Banner Witcoff, 17 Attorneys Recognized in Managing Intellectual Property's "IP Stars" 2019 Guide

[NEWS - 02.01.19](#)

Banner & Witcoff, three attorneys receive top rankings in the 2019 World Trademark Review 1000

[NEWS - 11.21.18](#)

IP Alert: Highlights of Design Law 2018

[LIBRARY - 11.21.18](#)

Highlights of Design Law 2018