

USPTO STUDY ON PATENT PRO BONO PROGRAM: LISTENING SESSION FOR INVENTORS

MONDAY, JUNE 5, 2023



Derrick Brent

**Deputy Under Secretary of Commerce for
Intellectual Property and Deputy Director of the
United States Patent and Trademark Office**

Derrick Brent is the Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office (USPTO). He serves as the principal advisor to Kathi Vidal, Under Secretary of Commerce for Intellectual Property and Director of the USPTO, for one of the largest intellectual property (IP) offices in the world, with more than 13,000 employees and an annual budget of more than \$4 billion.

Deputy Director Brent has served in all three branches of the federal government and the private sector. He clerked for the Hon. Algenon L. Marbley, Chief Judge of the U.S. District Court for the Southern District of Ohio, and served for six years as a Senior Trial Attorney at the U.S. Department of Justice, Civil Rights Division, where he received a Special Achievement Award for his trial work. Also, he served as a Chief Counsel in the U.S. Senate, where handled IP issues along with other areas such as constitutional law, civil rights, and judicial nominations.

Deputy Director Brent's experience in the private sector includes serving as Vice President/Associate General Counsel for Masimo, on the leadership team at Cut Golf, and as an engineer at General Motors.

Deputy Director Brent received a Bachelor of Science degree in mechanical engineering from The Ohio State University and a Juris Doctor degree from the Northwestern University School of Law (now the Northwestern University Pritzker School of Law).



Will Covey

Deputy General Counsel and Director for the Office of Enrollment and Discipline

As Deputy General Counsel, Mr. Covey is responsible for ensuring that the nation's patent attorneys and agents are of good moral character and sufficiently knowledgeable to

practice before the USPTO. Mr. Covey's team of attorneys and other professionals develops and administers a registration examination designed to measure an applicant's knowledge of patent law and practice. Successful applicants are registered to practice by OED. In addition, OED investigates complaints of unethical conduct made against individuals practicing patent or trademark law before the USPTO.

Mr. Covey has held a number of key positions at the USPTO, including Acting General Counsel and Deputy General Counsel for the Office of General Law. Mr. Covey was appointed to the Senior Executive Service in 2007.

Mr. Covey received his undergraduate degree from Fordham University (magna cum laude, Phi Beta Kappa) and earned his J.D. from Fordham University Law School in 1991. He graduated from Harvard University's JFK School of Government (Senior Executive Fellowship) in 2005 and the U.S. Army War College with an M.S. in Strategic Studies in 2010.

Prior to joining the USPTO in 2000, Mr. Covey was a Special Assistant U.S. Attorney for the District of New Jersey. He also served on active duty in the Pentagon, and was a senior officer in the Army Reserve assigned to the Office of the Army Staff, Office of the Judge Advocate General. He completed combat tours in Iraq (2007) and Afghanistan (2011) and served as Deputy Legal Counsel to the Chairman, Joint Chiefs of Staff. Mr. Covey retired from the Army in February 2022.



Olivia Scheuer

Patent Attorney for the Office of Enrollment and Discipline

Olivia Scheuer joined the Office of Enrollment and Discipline as a Patent Attorney in 2021. As a member of the Patent Pro Bono Team, she works with patent pro bono programs across the nation to ensure that all inventors have access to the patent system, including those who are financially under-resourced. In addition to Patent Pro Bono responsibilities, Ms. Scheuer serves as a staff attorney investigating discipline and enrollment matters.

Previously, Ms. Scheuer served as associate patent counsel for Naval Air Systems Command and was employed as a patent attorney for IBM. Ms. Scheuer received her undergraduate degree in chemical engineering from University of South Florida and graduated, magna cum laude, from the University at Buffalo School of Law. She is a member of the New York Bar and is registered to practice before the USPTO in patent matters.



Janet Gongola

Vice Chief Judge for Engagement at the Patent Trial and Appeal Board

Janet Gongola manages internal and external engagement on behalf of the PTAB, including development of educational programs and PTAB procedures and rules. She was appointed to the PTAB in October 2016. Before joining the Board, Judge Gongola was the Senior Advisor to the Under Secretary and Director of the USPTO where she advised on all matters of law and policy.

Judge Gongola also served as the Patent Reform Coordinator and managed the agency's implementation of the America Invents Act. She likewise was the Associate Commissioner for Patent Examination Policy and developed patent policy for the agency. Judge Gongola started her USPTO career as an Associate Solicitor providing legal advice to agency officials and defending decisions of the Patent Trial and Appeal Board before the U.S. Court of Appeals for the Federal Circuit and district courts.

Before joining the USPTO, Judge Gongola served as a law clerk for the Honorable Paul R. Michel at the U.S. Court of Appeals for the Federal Circuit and for the Honorable Judge Sue L. Robinson at

the U.S. District Court for the District of Delaware. In addition, Judge Gongola worked as a patent attorney, patent agent, and research chemist at Eli Lilly and Company in Indianapolis, Indiana.

Judge Gongola graduated summa cum laude from Indiana University School of Law, and she received B.S. degrees in Chemistry and Mathematics from Muskingum University.

Judge Gongola is a past President of the Giles S. Rich American Inn of Court and has taught as an adjunct professor at the George Mason University School of Law and the George Washington University Law School.



Jim Patterson

Principal at Patterson Thuentel IP; Chair of Pro Bono Advisory Council

Jim Patterson is the principal and founder of Patterson Thuentel IP, a leading intellectual property law firm located in Minneapolis Minnesota. Patent pro bono (PPB) got its start over a decade ago through Jim's leadership in launching PPB's pilot program in his home state of Minnesota. Since then, Jim has been instrumental in achieving PPB's 50 state coverage. Internationally, Jim continues his leading role in the creation and ongoing expansion of the international patent pro bono program managed by the World Intellectual Property Organization's Inventor Assistance Program, an initiative undertaken in conjunction with the World Economic Forum. As an attorney, Jim has 30-plus years of experience in all elements of intellectual property prosecution, whether it be patents, trademarks or copyright, and even in litigation. He has spent his legal career helping companies and individual inventors protect and profit from their intellectual property.



Jonathan D'Silva

Director of the Intellectual Property Law Clinic located at the Happy Valley LaunchBox in State College

Jonathan D'Silva is an Assistant Professor of Law at Penn State Law and the Director of the Intellectual Property Law Clinic located at the Happy Valley LaunchBox in State College, Pennsylvania.

Jonathan develops curriculum and processes for experiential learning for Law Students at Penn State Law and coordinates the activities of the IP Clinic with the Invent Penn State Initiative and the Penn State LaunchBox Network and with other economic development and public outreach initiatives. Jonathan directs the Patent Pro Bono Program for Pennsylvania through the IP Clinic. Jonathan is also the founder and principal of his solo boutique Intellectual Property law firm MMI Intellectual Property located in Erie, Pennsylvania. Jonathan is global IP counsel for several multinational corporations as well as counsel for several universities, small businesses, inventors, and creatives at every stage of their development and of all ages. Jonathan is admitted to practice in Pennsylvania, New York, Washington D.C., and before the United States Patent and Trademark Office.



Brian Fried

President of the National Inventor Club

Brian Fried, known as "The Inventor Coach," is a highly accomplished innovator, author, and speaker. With 15 patents to his name, he has successfully licensed and manufactured his own inventions, gaining recognition through QVC, infomercials, catalogs, and major retailers. For over 18 years, Brian has been working closely with inventors, providing one-on-one coaching as an invention licensing agent and guiding inventors in commercializing their ideas into tangible products.

As an expert speaker, Brian captivates audiences with his engaging talks on innovation and invention. He has authored three books, offering practical advice and strategies for aspiring inventors. In addition to his speaking and writing endeavors, Brian hosts the "Got Invention Show" a platform that showcases inventors and their creations, providing them with valuable exposure.

Brian is the founder of the National Inventor Club, a community that supports and connects inventors, fostering collaboration and networking opportunities. He serves as the Chief Invention Officer of Inventor Smart, an invention consultancy that assists inventors in bringing their ideas to fruition.

In June 2023, Brian is set to launch the Inventor Smart Community app, an innovative social media and resource center exclusively designed for inventors. The app, available for download on Google Play and the Apple App Store, aims to create a vibrant community where inventors can connect, share ideas, and access valuable resources.

With his extensive experience, resourcefulness, and commitment to helping inventors succeed, Brian Fried has become a trusted figure in the invention industry. Inventors and aspiring innovators can rely on his expertise and guidance to navigate the complexities of the invention process and turn their ideas into reality.



Charles Sauer

Member of Board of Directors of the United Inventor Association

Charles Sauer is a seasoned economic policy expert, author, President and Founder of the Market Institute. Sauer began developing his expertise in finance and tax by working for the chairman of the Finance Committee, and then going on to be a legislative analyst focused on tax, immigration and labor issues in a governor's office. In 2007, Sauer was named the Deputy Legislative Director for the National Center for Policy Analysis, a think tank dedicated to finding free-market alternatives to government regulation. After his time at NCPA, he was President of Entrepreneurs for Growth, a Capitol Hill education program that educated Hill staff on entrepreneurship. Sauer then founded Inventors Project which he uses to educate inventors and activate inventors regarding public policy effecting intellectual property. In 2010, he founded the Market Institute and serves as President to date. Additionally, Charles serves on the board of the United Inventors Association. Sauer authored the book, Profit Motive: What Drives the Things We Do and is a frequent voice appearing in outlets like the Washington Examiner, Forbes, Investor's Business Daily, and many more. Charles was also recently named one of Washingtonian's top 500 people influencing public policy. In his free-time Charles is an inventor as well as a mentor for other inventors.