

# Chicago Daily Law Bulletin

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## Chicago firms in top 5 for design patents

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Banner & Witcoff Ltd., a Chicago-based intellectual property firm, procured the most design patents for its clients of any firm in the U.S. last year for the second year in a row.

Brinks, Hofer, Gilson & Lione, also based in Chicago, was among the top five firms nationally for procuring design patents for the second year in a row.

Banner & Witcoff's 744 design patents in 2007 "was the most ever for anybody" in a calendar year, according to senior partner [Robert S. Katz](#), who said he has been following the count for 15 years.

Katz said Banner & Witcoff has broken the national record four times in the last 10 years. In 2006, the firm procured 554 design patents, which Katz said was also a record.

Design patents are the second most common of the three types of U.S. patents. Design patents protect "what something looks like," Katz said, such as an athletic shoe, a golf club, a computer keyboard or a cell phone.

"You don't want to have competitors simulate that appearance and be selling similar-appearing goods in the market place," Katz said.

The count of design patents procured by law firms can be found on the Web site of the U.S. Patent and Trademark Office at [www.uspto.gov/](http://www.uspto.gov/).

Each law firm has to be checked individually. Katz said he starts with last year's list of "Top Patent Firms" published annually in March by Intellectual Property Today magazine, and then finds the numbers for the most active firms in the most recent year. This procedure was repeated by the Law Bulletin for 2007.

After Banner & Witcoff's 744 design patents in 2007 comes the law firm of Birch, Stewart, Kolasch & Birch LLP, in Falls Church, Va., and San Diego, with 423; Staas & Halsey LLP, based in Washington, D.C., with 314; Sughrue, Mion PLLC, also in Washington, D.C., 266; and Brinks, Hofer, 248.

Katz, who is based in Banner & Witcoff's Washington, D.C., office, noted that his firm

procured more design patents than the second and third firms combined.

Based on the U.S. Patent & Trademark figures, Banner & Witcoff accounted for 3 percent of the 24,063 design patents issued in the U.S. in 2007.

Katz has procured 1,500 design patents for his law firm's clients over the years.

Microsoft, Nike, Nokia and Toshiba collectively accounted for a majority of the design patents procured by Banner & Witcoff last year. The firm also added Newell, Electrolux, PepsiCo and Solo Cup to its client list in 2007.

[Tadashi Horie](#), a Brinks, Hofer shareholder in Chicago, said he procured about 100 design patents in 2007 for his client, Panasonic.

A Japanese consumer electronics giant, Panasonic is known in Japan as Matsushita.

Horie said the number of design patents issued annually is growing in consumer electronics because, "If you go to an electronics store, they usually have lines of electronic goods, and as far as the functions, all of them are the same, but the difference is the design. The design attracts people."

He said typical items he has procured patents for include MP3 players, televisions and vacuum cleaners.

Horie is a native of Japan who came to Chicago and joined Brinks, Hofer in 1992.

He said he maintains credentials as a patent attorney in both Japan and the U.S., although he said it is quite difficult to fulfill the continuing legal education requirements in both countries.

Both of these Chicago firms focus on a wide range of intellectual property work. Banner & Witcoff has about 90 lawyers in four offices. Brinks, Hofer has about 150 lawyers in five offices.