

John W. McIlvaine III

Partner

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Bio

John W. McIlvaine III is an Intellectual Property attorney with extensive experience in patent procurement, patent enforcement, trademark registration, trademark enforcement, licensing, and litigation. His practice involves a substantial amount of international intellectual property law, and he counsels a wide range of clients – from individual inventors to Fortune 500 companies. John is actively involved with IP programs and initiatives, sharing expertise as a community leader, educator, and author. He is a certified arbitrator and an Approved Early Neutral Evaluator for Intellectual Property cases pending in the U.S. District Court for the Western District of Pennsylvania. He has served as mediator, special master, and patent-law expert witness in numerous IP litigation matters, and he is co-chair of the local court's IP Advisory Committee.

John has published articles on IP topics and is an adjunct professor with the University of Pittsburgh School of Law. In 2004, John and patent attorneys from several area law firms and corporations worked together, in cooperation with the U.S. District Court for the Western District of Pennsylvania, to draft a state-of-the-art set of rules and procedures for the conduct of patent litigation, which were recently updated.

He has also been ranked and honored (2009-2010) by the legal directory Chambers USA America's Leading Lawyers for Business, which has characterized him as a "stand-up guy and an impressive attorney."

Certification

Registered Patent Attorney, U.S. Patent and Trademark Office
Certified Arbitrator, U.S. District Court for the Western District of Pennsylvania

Bar Admissions and Licensure

Pennsylvania, 1989

U.S. Court of Appeals Federal Circuit

U.S. District Court Western District of Pennsylvania

U.S. District Court Middle District of Pennsylvania

Education

Pepperdine University School of Law, Malibu, California, 1989 J.D.

Pennsylvania State University, University Park, Pennsylvania, 1986 B.S.

Major: Petroleum Engineering

Professional Associations and Memberships

U.S. District Court for the Western District of Pennsylvania Co-chair, IP Advisory Committee

Allegheny County Bar Association Chair, Young Lawyers Section, 1999

Washington County Bar Association

Pennsylvania Bar Association Chair, Intellectual Property Section, 2001-2002

Pittsburgh Intellectual Property Law Association, President, 2012-2013

American Intellectual Property Law Association

Academy of Trial Lawyers of Allegheny County

Fellow, Allegheny County Bar Foundation

Approved Early Neutral Evaluator for Intellectual Property cases pending in the U.S. District Court for the Western District of Pennsylvania

International Trademark Association

Society of Petroleum Engineers

Community Commitment

Adjunct Professor, University of Pittsburgh Law School

Board of Trustees, Washington Health System

Main Practice Areas:

Patent Innovation

Trademark & Copyright

Litigation

Industries Served:

Patent Innovation: Chemical

Patent Innovation: Mechanical

Recent Publications:

“Trademark Abandonment and the Developing Doctrine of Residual Goodwill”, co-author,

Pennsylvania Bar Association Intellectual Property Law Section Newsletter, Fall 2009.

“Lawyers Lead the Way: Pittsburgh Attorneys Promote Special Rules for Patent Cases,” SmartBusiness-Pittsburgh, June 2004.

“Pennsylvania May Soon Be Protecting Databases from Unauthorized Copying and Commercialization” co-author, Pennsylvania Bar Association Intellectual Property Law Section Newsletter, Vol. 7, No. 2, Summer 2003.

“IP and Bankruptcy in a Nutshell,” co-author, Pennsylvania Bar Association Intellectual Property Law Section Newsletter, Fall 2002.

“Status of IP Rights--As Against States and State Actors--Is in Doubt,” co-author, Pennsylvania Bar Association Intellectual Property Law Section Newsletter, Spring 2001.

“FAQs on FQA — The Answers to All Your Questions About the Fastener Quality Act,” Pennsylvania Bar Association Intellectual Property Law Section Newsletter, Vol. 2, No. 1, Winter 1998.

“Enforcing Foreign Patent Arbitration Awards in the United States,” Allegheny County Bar Association, Lawyers Journal, September 2014