



FRANK P. PORCELLI

Frank Porcelli is a principal of Fish & Richardson in the firm's Boston and Delaware offices. He joined the firm in 1971. His practice emphasizes patent and trade secret appellate work. Over the first 26 years of the existence of the U.S. Court of Appeals for the Federal Circuit, Frank has successfully argued some of the highest profile and most legally significant patent appeals in this Court, including *Minnesota Mining v. Johnson & Johnson Orthopaedics*, 976 F.2d 1559, 61 USLW 2236 (1992) (\$129 million judgment for 3M was the highest district court patent infringement judgment upheld by the Federal Circuit over its first 25 years; case was featured in *Time* and *Business Week*) and *Johnson & Johnston Assocs. v. R.E. Service Co.*, 285 F.3d 1046 (2002 *en banc*) (12-1 decision established the doctrine of dedication as a limitation on the doctrine of equivalents). He also successfully argued a trade secret appeal in the Supreme Court of Connecticut that effectively established the right to jury trial in trade secret cases brought under the Uniform Trade Secrets Act. *Evans v. General Motors*, 277 Conn. 496, 893 A.2d 371 (2006).

Frank graduated from Boston College A.B. English Literature 1968 *magna cum laude*; Harvard Law School J.D. 1971 and from Northeastern University M.S. 1981 Chemistry. He was named in the 2007 International Who's Who of Patent Lawyers. Also named to the 2006, 2007, and 2008 editions of *The Best Lawyers in America* and named one of the "Best Lawyers in Boston" for Intellectual Property in *Boston Magazine* (2002).

Frank was a Harvard Law School, John A. Reilly Visiting Professor from Practice in Intellectual Property Law (academic year 1998-99 and 2000-01), Visiting Professor of Law from Practice (academic year 2001-02). He is Co-Chair, Fish & Richardson Appellate Group (1996 - present).

He is active in the Linn Alliance Intellectual Property American Inns of Court, particularly in Boston (member of Founders Committee, Executive Committee, and a Master of the Inn), New York City (Conner Inn), Northern District of New York (IP & Innovation Inn), Philadelphia (Ben Franklin Inn), and Washington (Giles Rich Inn). Instructor on Pharma and Biotechnology Litigation in Patent Resources Group Continuing Legal Education

course "Pharma & Biotech Strategies" (2000 to present). He was President of the Boston Patent Law Association (1990 to 91); Committee Chair, AIPLA Chemical Practice Subcommittee on Legislation (1987 to 89), Committee Chair, AIPLA Chemical Practice Subcommittee on Judicial and Administrative Decisions (1989 to 91), and Committee Chair, AIPLA Chemical Practice Committee (1991 to 92). He has been a presenter and co-author of "Markman Hearings and Claim Construction - A Dialogue On The Sedona Conference Report on the Markman Process," presented at the AIPLA Public Forum (April 2007). Author of numerous articles on patent damages and other patent litigation and patent law topics, and co-author, with fellow principal John Dragseth, of "Patents -- A Historical Perspective," a casebook on patent law (in progress).

Frank was listed in *Boston Magazine's* November 2007 issue as one of Top 100 Super Lawyers in Massachusetts and named by *Chambers USA* as a recommended lawyer in 2005. He was also named in *Euromoney's* Expert Guide as one of the "World's Leading Patent Law Experts" (2005). In June of 2009 he received the "Enduring Leader" award from the Federal Circuit Bar Association.