

David P. Fitzgibbon

Associate

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David Fitzgibbon concentrates his practice on intellectual property matters, with a focus on chemical and mechanical arts. He is experienced in drafting and procuring patents, counseling clients regarding the scope and significance of their and others' patent and IP rights, and negotiating technology-related agreements on behalf of clients.

David also has significant experience providing intellectual property advice to start-up companies, providing advice and assistance in patenting and commercialization of inventions owned by not-for-profit institutions, and providing analyses of patent issues.

Prior to joining Stradley Ronon, David was an associate at another Philadelphia law firm focusing on intellectual property litigation and patent work. He graduated from the Temple University School of Law, where he was a Research Editor for the *International and Comparative Law Journal*.

RESULTS

- Successfully litigated cases involving trademark infringement for an emerging hotel brand.
- Prepared freedom to operate opinions including analysis of utility patent, design patent, and trade dress rights; along with invalidity opinions; and advised clients as to opportunities in various industries.
- Drafted and negotiated contracts including: intellectual property protective agreements, patent and trademark licenses and assignments, software licenses, data sharing agreements, nondisclosure agreements, trademark coexistence agreements, corporate partnering agreements, consulting agreements, joint development agreements, and settlement agreements in various industries.
- Provided trademark clearance opinions and counseling on strategies for brand development in the food service industry.
- Successfully identified patents, prior to issuance, that an applicant intended to assert against the largest mushroom producers in the nation and crafted the industry wide defense strategy.
- Drafted patent applications related to various industrial chemical processes for startup clients.

FOCUS

Intellectual Property
Intellectual Property Litigation
Patent Procurement
Trademark Procurement
Food & Beverage

BAR ADMISSIONS

Pennsylvania
New Jersey
U.S. Patent and Trademark Office

COURTS

U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Middle District of Pennsylvania
U.S. District Court for the District of New Jersey

EDUCATION

J.D., Temple University School of Law
B.S., University of Notre Dame

