

# Fisher Broyles

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**Practice Areas:** Appellate; Copyrights; Intellectual Property; Intellectual Property Litigation; Licensing; Patent Prosecution; Patent Trial & Appeal Board; Technology; Trademark Prosecution; Trademark Trial & Appeal Board; Trade Secrets

**Bar Admissions:** Pennsylvania; U.S. Patent and Trademark Office

**Education:** Temple University School of Law, J.D.; Polytechnic University (now NYU School of Engineering), B.S. Chemical Engineering (cum laude)

**Experience:** Woodcock Washburn (now Backer Hoestetler LLP); Fox Rothschild LLP

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Joseph Posillico's practice is centered on providing global intellectual property advice, procurement and enforcement based on extensive experience in the technical arts, in patent and trademark office processes, and in trial and appellate practice. He specializes in patent practice in the chemical arts, in trademark practice in consumer products.

Joseph holds a degree in chemical engineering from Polytechnic University of New York in Brooklyn, New York (now part Polytechnic Institute of New York University) and is admitted to practice before the United States Patent and Trademark Office. Representative patent work includes prosecution and litigation in the fields of industrial and pharmaceutical chemistry and chemical engineering, software engineering, consumer products, food products, construction equipment and processes, and orthodontic materials and equipment.

Joseph's practice includes representation of internationally recognized companies, including Honeywell International, Inc. and Beverage Marketing USA (owners of the Arizona brand beverages). He also represented numerous individual inventors and small and medium sized companies in all aspects of intellectual property law.

Joseph has also performed pro bono work for the Support Center for Child Advocates in Philadelphia.

## Representative Transactions

### PATENTS

Preparing and prosecuting U.S. and foreign patent applications in:

#### Chemical

- Refrigerant compounds, compositions, systems and methods, including new numerous patents that are the basis for a new multi-billion dollar industry in low global warming potential refrigerants
- Polymeric foams and blowing agents for polymeric foams
- Aerosols, including solvent and lubricant aerosols and pharmaceutical aerosols and methods
- Adhesive compositions and methods of manufacturing
- Personal care formulations and methods of applying personal care products

#### Mechanical

- Orthodontics
- Catheters
- Automotive conduits, including push-pull and rotary cables.
- Medical equipment and devices, including protective garments and drapes

#### Software

- Nautical equipment, including voltage boosters, sea-land communications, and power combiners
- Digital voice recording and recognition

#### Trademark

- Conducting and advising on clearance searches
- Preparing and prosecuting U.S. Trademark Applications

### REPRESENTATIVE LITIGATION MATTERS

- First Chair - Defending major beverage product manufacturer/seller against charges of trademark and trade dress infringement (CB BRAND STRATEGIES, LLC; et al. v BEVERAGE MARKETING USA, INC. et al. (CV Action No. 2:20-cv-02951);
- First Chair - Successfully overturned a finding of contempt for alleged violation for an injunction and an award of sanctions based on patent infringement. PROVERIS SCIENTIFIC CORPORATION v. INNOVASYSTEMS, INC., (CAFC 2014)

- First Chair - Successfully asserted patent infringement through a 10 day jury trial against a major international seller of office products and ultimately favorable settlement after appeal. ACCENTRA, INC., et al. v. STAPLES, INC., et al (CAFC 2013)
- First Chair - Successfully overturned in groundbreaking decision by the Court of Appeals for the Federal Circuit a finding of patent infringement. CHIUMINATTA CONCRETE CONCEPTS, INC., et al v, v. CARDINAL INDUSTRIES, INC., et. al. (CAFC 2001)
- First Chair - Successfully defended through a one-month jury trial defendant accused of patent infringement for vinyl flooring products and successfully proving inequitable conduct by the patentee and achieving a seven figure award of attorney fees to the defendant. TARKET v. CONGOLEUM, 32 U.S.P.Q.2d 1359 (E.D. Pa 1994)