



PRACTICES

- Business / Corporate
- Intellectual Property

INDUSTRIES

- Biotech & Life Sciences
- Climate Change, Renewable Energy & Sustainable Technology

BAR ADMISSIONS

- California
- New York
- US Patent & Trademark Office (USPTO)

COURTS

- US Federal Circuit Court of Appeals
- USDC - S Dist Cal
- USDC - E Dist New York
- USDC - S Dist New York

EDUCATION

- JD, George Washington, 2002
- BA (Biology), Wesleyan University, 1995

> **LOCATION / CONTACT INFO**

Special Counsel in the San Diego Office

Phone: 619.699.2471
Fax: 619.645.5358
E-Mail: elane@luce.com
Web: www.luce.com/ericlane

Eric Lane is an intellectual property attorney with broad-based expertise and experience in both international general practice law firms and intellectual property boutique firms. Mr. Lane drafts and prosecutes patent applications in complex technologies such as medical devices, renewable energy, and clean technology and energy efficiency systems. With a background in the life sciences, Mr. Lane has provided freedom to operate and due diligence opinions in pharmaceutical and medical device technologies. Mr. Lane also is experienced in trademark prosecution and provides strategic trademark advice, including litigating trademark matters before the USPTO Trademark Trial and Appeal Board. Mr. Lane counsels small companies and entrepreneurs in patent, trademark and copyright matters, assisting them in protecting the intellectual property assets critical to their livelihoods.

Mr. Lane also handles patent and trademark litigation in federal courts and U.S. Patent & Trademark Office proceedings and has experience in antitrust issues arising in intellectual property litigation. While defending an international pharmacy against patent infringement claims, Mr. Lane briefed novel issues relating to the patent marking requirement, and this successful summary judgment motion limited potential damages and led to a favorable settlement for the client.

Mr. Lane is the founder and author of Green Patent Blog - www.greenpatentblog.com - a website dedicated to discussion and analysis of intellectual property issues in clean technology and renewable energy. He has published articles on a wide range of legal subjects in such publications as the *John Marshall Law School Review of Intellectual Property Law*, *New York Intellectual Property Law Bulletin*, *New York State Bar Association Labor & Employment Newsletter* and *Mealey's (Lexis-Nexis) Litigation Report on Intellectual Property*, *IPLaw360*, *New Matter*, and the *San Diego Daily Transcript*.

> **REPRESENTATIVE PATENTS**

U.S. Patent No. 7,821,158 "System and method for liquid air production, power storage and power release"

U.S. Patent No. 7,947,240 "System and method of carbon capture and sequestration"

> **RECOGNITION**

Green Patent Blog - www.greenpatentblog.com - Named on of Top 50 Environmental and Climate Change Blogs of 2011 by LexisNexis.

San Diego Daily Transcript "Young Attorney" - 2008.

> **MEMBERSHIPS**

San Diego County Bar Association.

Clean Tech San Diego Science & Technology Committee.

San Diego Renewable Energy Society.

> **PUBLICATIONS**

Books.

"Clean Tech Intellectual Property: Eco-marks, Green Patents, and Green Innovation"
Oxford University Press - March 2011.

Articles.

"U.S. Patent and Trademark Office Extends and Expands Green Tech Pilot Program"
Luce Forward Legal e-Update - November 18, 2010.

"Keeping the LEDs on and the Electric Motors Running: Clean Tech in Court After eBay"
Duke Law & Technology Review - September 22, 2010.

"Paying Dividends: IP and Green Energy" - *World Intellectual Property Review* - September / October 2010.

"Patentees Beware: Federal Circuit Decision Makes it Easier for False Marksmen to Troll for Dollars"
Luce Forward Legal e-Update - May 24, 2010.

"Consumer Protection in the Eco-Mark Era: A Preliminary Survey and Assessment of Anti-Greenwashing Activity and Eco-Mark Enforcement" - *The John Marshall Review of Intellectual Property Law* - April 2010.

> **PUBLICATIONS** *CONTINUED*

Articles. *Continued.*

"U.S. Patent and Trademark Office Launches Green Tech Pilot Program to Expedite Green Patenting"
Luce Forward Legal e-Update - December 12, 2009.

"Protecting Green Brands in the Eco-Mark Era" - *IP Law 360* - July 22, 2008.

"The Federal Circuit's Inducement Conflict Resolution: The Flawed Foundation and Ignored Implications of DSU Medical" - 61. MARSHALL REV. INTELL. PROP. L. 198 - 2007.

"Websites as Virtual Product Packaging: Internet Vendors Of Downloadable Patented Software May Have A Duty To Mark Their Websites" - *NYIPLA Bulletin* - November / December 2006.

"Anything You Say (In Your FMLA) May Be Used Against You: The Second Circuit Weakens Federal Protection Of Disabled Employees From Intrusive Medical Inquiries" - *New York State Bar Association Labor & Employment Newsletter* - Fall 2006.

"When Boogie Kings Boogie and Drifters Drift: Allocating and Protecting Ownership Rights in Musical Group Service Marks" - *Mealey's (Lexis) Litigation Report: Intellectual Property* - October 7, 2002.

"Camp-Dependent Protein Kinase Phosphorylations on Tau in Alzheimer's Disease" - *The Journal of Neuroscience* - September 1, 1999, 19(17):7486-7494. (With Gregory A. Jicha, Charles Weaver, Eric Lane, Cintia Vianna, Yvonne Kress, Julia Rockwood, and Peter Davies.)

"A Conformation and Phosphorylation-Dependent Antibody Recognizing the Paired Helical Filaments of Alzheimer's Disease" - *J. Neurochem.* 69, 2087-2095 (1997). (With Gregory A. Jicha, Eric Lane, Inez Vincent, Laszlo Otvos Jr., Ralf Hoffmann, and Peter Davies.)

Blogs.

Green Patent Blog - www.greenpatentblog.com.

"CleanTechies" Blog Postings - <http://blog.cleantechies.com/author/ericlane>

"Begun, the Cleantech Patent War Has" - *CleantechBlog* - *Cleantech.Org* - April 8, 2011.

GreentechEnterprise:

- "Samsung, LG and Osram Square Off in LED Patent War: It's a big market, and there's a heck of a lot of intellectual property behind it" - August 26, 2011.

> **PUBLICATIONS** *CONTINUED*

Blogs. *Continued.*

GreentechMedia:

- “Five Trends to Watch in Wind - Transportation (See GE’s buy of Wind Power Systems) and components are two hotbeds in wind” - February 18, 2011.
- “Ford and Paice Collide in Hybrid Vehicle Patent Dispute: Variable Voltage Booster at Core of the Infringement Claim” - June 17, 2010.
- “In Hybrid Patent Case, Toyota Argues Preclusion to Avoid Exclusion” - May 12, 2010.
- “Electrovaya’s SuperPolymer Is Ram Tough” - May 5, 2010.
- “USPTO’s Green Patent Program: Stuck in Neutral” - April 13, 2010. “Mitsubishi Powers Past GE in Turbine Case” – February 2, 2010.

“Patent Pending: The Fast Track” - *Business Opportunities Weblog Network* - May 11, 2010.

“The Marking Statute Requires Internet Vendors of Downloadable Patented Software To Mark Their Websites” - *Patently-O Patent Law Blog* - July 6, 2006.

> **PRESENTATIONS**

“Hot Topics in Clean Tech IP: Greenwashing in Context & Global Green Patenting”
Intellectual Property Owners Association - Greenwashing in Context & Global Green Patenting - San Diego
September 26, 2011.

Moderator: “Tracking Systems” - 4th Annual Utility Scale Solar Summit 2011 - San Diego
September 13, 2011.

Clean Tech Intellectual Property Webinar - May 16, 2011.

“Consumer Protection in the Eco-Mark Era: A Preliminary Survey and Assessment of Anti-Greenwashing Activity and Eco-Mark Enforcement” - The Green Issue Symposium: Discussions on the Intersection of IP Law and the “Green” Movement - Chicago - April 9, 2010.

Panelist: “International IP Protection: Technology for Everyone?” - The Clean Technology Revolution 2010: Developing Solutions for Tomorrow’s Legal Challenges, 2010 Symposium - Mountain View, CA
January 29, 2010.

LegalTalkNetwork Podcast - “Greenwashing Claims Sprouting Up Across the Country” - July 2009.