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BIOGRAPHICAL DATA

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Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

J.D., Northwestern University School of Law, 1978;
B.A., *summa cum laude*, University of Cincinnati, 1975;
Phi Beta Kappa, with high honors.

Admitted to the Bar:
Northern District of Illinois;
Eastern District of Wisconsin;
Northern and Southern Districts of Ohio;
Sixth Circuit Court of Appeals;
Seventh Circuit Court of Appeals;
Federal Circuit.

LANGUAGES

English.

July 9, 2010

PRESENT POSITION

Partner, Nixon Peabody LLP, Chicago, IL, United States of America;
Professor, Adjunct Faculty, John Marshall Law School. Advanced Trade Secrets Law and Trade Secrets Litigation, L.L.M. Program in Intellectual Property Law;
Board of Editorial Advisors, *Intellectual Property LAWCAST*, Vox Juris, Inc., Board of Editorial Advisers, *Intellectual Property Counselor*, Business Laws, Inc., Faculty, The Centre: Operational Business Intelligence, Sarasota, Florida;
Editorial Advisory Board, *CyberSecurity Advisor*, Aspen Law & Business, Aspen Publishers, Inc.;
Editorial Advisory Board, *CyberSecurity Advisor*, Aspen Law & Business, Aspen Publishers, Inc.;
Advisory Board, *In Context: News Assessment for the Business Intelligence Community*, Allis Information Management, Inc.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

IP, Media and Technology, Partner, Lovells LLP, Chicago, an accomplished IP trial lawyer and is widely recognized for his work in trade secrets law. Has been at the forefront of many emerging practice areas, including competitive intelligences, digital evidence recovery, and e-discovery;

Principal, Welsh & Katz, Ltd., Chicago, Illinois.

A full-service intellectual property law firm. The Firm focuses on obtaining patents, trademarks, and copyrights; intellectual property litigation; protecting trade secrets; product anti-counterfeiting; clearance opinions; and licensing transactions.

MEMBERSHIP IN PROFESSIONAL BODIES

Founder, Trade Secrets and Unfair Competition Committee of the Intellectual Property Law Association of Chicago (IPLAC) and served as President of IPLAC, 2001-2002;
Chairman, ABA Intellectual Property Law Section, Committee No. 410, Trade Secrets and Tortious Interference With Contracts, since 2005;
Chair, Trade Secrets Law Committee, American Intellectual Property Law Association (AIPLA), 2006-2008;
Co-Chairman, Licensing Executives Society (LES), Trade Secret Licensing Committee since 2000;
Chair, REACH Subcommittee of the Trade Secrets Committee, Intellectual Property Owners Association, 2007-2008;
Chair, Federal Trade Secrets Statute Subcommittee, Intellectual Property Owners Association, 2007-2008.

AREAS OF SPECIALIZATION

Expert in trade secrets law.

EXPERIENCE IN INTELLECTUAL PROPERTY

Welsh & Katz, Ltd. focuses on obtaining patents, trademarks, and copyrights; intellectual property litigation; protecting trade secrets; product anti-counterfeiting; clearance opinions; and licensing transactions;

Has been a featured speaker on the Economic Espionage Act of 1996 which now makes the theft of trade secrets a federal criminal offense.

MAJOR PUBLICATIONS

Author:

- "Protecting Your Trade Secrets," V00PYTA Audio Package/V00PYTV Video Package (Includes Course Materials), ABA-CLE, Sections of Business and Litigation, Co-Sponsored by the Section of Intellectual Property Law, American Bar Association, Center for Continuing Legal Education, 2000;
- Co-author (and James Pooley), "Intelligence and the Law: Criminal Liability for Trade Secrets Misappropriation (Part II), Millennium Intelligence: Understanding and Conducting Competitive Intelligence in the Digital Age, Jerry Miller and the Business Intelligence Braintrust", *Information Today*, Inc. ISBN 0-910965-28-5, 2000;
- "Trade Secrets and the Inevitable Disclosure Doctrine", National Legal Center for the Public Interest, Volume 5, Number 10, October 2001;
- "Trade Secrets Case Digest", James Publishing, Inc., 1999;
- "How To Identify And Protect Trade Secrets: The Illinois Trade Secrets Act" Ill. Inst. for CLE, 1992;
- "Protection of Trade Secrets: The Illinois Trade Secrets Act," DCBA Brief, DuPage County Bar Association Vol. 4, Issue 5, May/June 1992;
- "*PepsiCo, Inc. v. Redmond*: The Seventh Circuit's Position of Threatened Misappropriation of Trade Secrets," DCBA Brief, DuPage County Bar Association Vol. 8, Issue 2, December 1995;
- The Economic Espionage Act of 1996: "The Theft of Trade Secrets is Now A Federal Crime", *The National Law Journal*, December 9, 1996;
- "The Theft of Trade Secrets is Now a Federal Crime," *Competitive Intelligence Review*, August/September 1997, John Wiley & Sons, Inc., Society for Competitive Intelligence Professionals;
- Contributor, *Competitive Analysis and the Economic Espionage Act: A Policy Analysis Adopted by the SCIP Board of Directors*, Society for Competitive Intelligence Professionals (1999);
- "EEA Not A Threat To Lawful Competitive Intelligence," *In Context: News Assessment for the Business Intelligence Community*, Vol. 1, No. 2, Allis Information Management, Inc., June, 1999;
- "Safeguarding Secrets: Twelve Predictions for Trade Secret Law in The New Economy," *Corporate Counsel Magazine* 44-46, January, 2000;
- "Computers Spark Surge in Use of Trade Secrets," *The National Law Journal*, C12-13, January 31, 2000;
- "Inevitable Disclosure", *American Society for Industrial Security*, Security Management Magazine, [Trade Secrets] Vol. 44, No. 9, p. 94, September 2000;
- "John Doe' [Lawsuits] Endanger Trade Secrets," *CyberSecurity Advisor*, *Bureau of Business Practice Newsletter*, Aspen Publishers, Inc. Issue 104, October 2000;
- "The Case for a Federal Trade Secrets Statute," [Eye on Trade Secrets] Information Ventures LLC, October 10, 2000;
- "Seven Safe Harbor Principles vs. Trade Secret Rights," *The National Law Journal*, [Intellectual Property Section] C14-C15, C-20, December 18, 2000;
- "Recent Developments in Trade Secrets Law," [Eye on Trade Secrets] Information Ventures LLC, January 2, 2001;
- "The Importance of Trade Secret Audits and Protection Programs in the Information Age," [Eye on Trade Secrets] Information Ventures LLC, February 14, 2001;
- "The Bite of Carnivore: Dark Days for Privacy," *IP Worldwide*, American Lawyers Media Publication pp. 48-53, February, 2001;
- "Do Your Secrets Pass the Test? -- Special Focus on Information Protection," *Security Management* (ISSN 145-9406) Volume 45, No. 3 American Society for Industrial Security (ASIS) pp. 53-58, March 2001;
- "The Sorry State of Trade Secret Protection," [with Richard F. Weyand], *The Corporate Counsellor*, Volume 16, No. 3, August 2001.

Selected Speaking Engagements:

- Midwinter Meeting, American Bar Association, Section of Intellectual Property Law, Report on Committee 410: Trade Secrets and Interference With Contracts, Ritz-Carlton Rancho Mirage, California, January 22-25, 2000;
- "What You Need To Know About Antitrust Misuse: The Issues Affect All Intellectual Property Licenses.", University of Dayton School of Law, Licensing I.P. Program, February 24-25, 2000;
- "Recent Developments in Trade Secrets Law", 44th Annual Conference on Developments in IP Law, John Marshall Law School, February 24, 2000;
- "Protecting Trade Secrets", Legal Seminars.com Online Seminar, March 30-April 14, 2000;

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- "Legal Aspects of Business Counterintelligence," The Centre: Operational Business Intelligence, San Diego, California, April 12-13, 2000;
- "Protecting Your Trade Secrets and Enforcing Non-Compete Agreements.," ABA Sections of Business Law, Litigation and Intellectual Property Law/Center for Continuing Legal Education, Videoconference and Teleconference Reuters Television, Washington, D.C., April 26, 2000;
- "Legal Aspects of Business Intelligence and Counterintelligence," The Centre: Operational Business Intelligence, Orlando, Florida, April 30, 2000;
- "Trade Secret Law in the Next Millennium.," The Law and Internet Forum, University of Chicago Law School, Chicago, Illinois, May 10, 2000;
- "The Impact of Trade Secrets Law and Its Recent Developments on Choice of Law Provisions," AIPLA Spring Meeting, Pittsburgh, PA, May 17, 2000;
- Opposition to Proposed Resolution 701-3, American Bar Association (ABA), Section of Intellectual Property Law, 2000 Summer IPL Conference, Boston, Massachusetts, June 21-25, 2000;
- "Inevitable Disclosure Doctrine Hits Speed Bump In Major State On Information Superhighway," Intellectual Property LAWCAST, Week of July 17, 2000;
- "Inevitable Disclosure Doctrine Hits Speed Bump In Major State On Information Superhighway," Employment & Labor LAWCAST, Week of August 28, 2000;
- "Intellectual Property Basics for the General Practitioner and Beginning Intellectual Property Lawyer-- Trade Secret Basics", The Chicago Bar Association (CBA), September 12, 2000;
- "Trade Secrets and the Economic Espionage Act of 1996", Corporate Crime, Information Warfare and Economic Espionage (David Loundy, Adjunct Faculty), John Marshall Law School, November 6, 2000;
- "Recent Developments in Trade Secrets Law ", The 2000 IPLAC 11th Annual Trade Secrets Seminar, John Marshall Law School, December 7, 2000;
- "Five Years After the EEA," Special Interactive Session, Society for Competitive Intelligence Professionals (SCIP), Annual Meeting, E-Business and the Knowledge Professional: How to Win Competitive Advantage in the New Economy, Washington State Convention Center, Seattle, Washington, March 7-10, 2001;
- "Theft of Business Secrets," Association of Former Intelligence Officers (AFIO), Annual Business Intelligence and Law Symposium III, The Ronald Reagan Building--The International Trade Center, 1300 Pennsylvania Avenue N.W. Washington D.C., May 4, 2001;
- "Advanced Strategies for Protecting and Litigating Trade Secrets in the New Economy/Developing and Implementing a Business Protection Program", Helmsley Park Lane Hotel, New York, NY, June 6-7, 2001;
- Speaker, Cipher Systems Web Seminar ("Webinar") "Trade Secret Audits/Protection Programs (June 20, 2001);
- Faculty/Speaker, "Conducting Competitive Intelligence Legally," Simmons College Competitive Intelligence Center, Course No. CI 404, Boston Massachusetts (June 28-30, 2001)
- Practicing Law Institute (PLI), Seventh Annual Institute on Intellectual Property Law, "Ethical Considerations in the IP Representation of Multiple Clients in the Same Industry," New York, NY--PLI Center (September 24-25, 2001);
- "The Legal and Ethical Aspects of Competitive Intelligence," Toledo Area International Trade Association (TAITA), The Pinnacle (Maumee, Ohio), September 26, 2001;
- "Recent Developments in Trade Secret Law.," American Intellectual Property Law Association (AIPLA) Annual Meeting, Crystal-Gateway Marriott Hotel, October 19, 2001;
- "Recent Developments in Trade Secrets Law," 46th Annual Conference on Developments in Trade Secrets Law, John Marshall Law School, February 28, 2002.
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