

Benjamin A. Berkowitz

Partner

bberkowitz@foley.com

Washington, D.C.
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Dr. Benjamin (Benny) Berkowitz counsels innovative clients as they develop new products, protects their groundbreaking inventions, and helps them maximize the value of their intellectual property in furtherance of business goals and strategy.

A partner and IP chair of the Washington, D.C., office of Foley & Lardner LLP, Benny counsels clients on legal and strategic issues related to IP, drafts and prosecutes patent applications in the United States and abroad, and evaluates IP for due diligence analyses and freedom-to-operate opinions. Benny has prosecuted a variety of chemical, biochemical, and mechanical patents in a broad spectrum of technologies, including plant molecular biology, antibodies, chemical sensors, optical equipment, small molecules, polymers, and pharmaceuticals. He practices in the firm's Chemical, Biotechnology & Pharmaceutical, and International Practice Groups, and the Innovative Technology Sector, for which he serves as chair of the Health Tech & Genomics area of focus. He previously chaired the firm's National Associates Committee.

Benny also counsels companies on due diligence matters for business deals and securities offerings. He has served as lead IP counsel for companies in deals totaling more than US\$4.2 billion and worked with numerous companies in securities offerings, including IPOs.

Benny maintains a niche practice in helping companies receive IP protection on plant varieties, including plant breeder's rights protection, plant patents, and PVPA protection.

Awards and Recognition

- *Legal 500* – Intellectual Property, Patent Prosecution and Plant Patents (2009).

Presentations and Publications

- "Cancer Drugs: Antibody Drug Conjugates (ADCs) Keep Growing," *Health Care Law Today* (March 12, 2024)

- "U.S. Pharmaceutical Patent Litigation Developments," Japan Pharmaceutical Manufacturers Association, U.S. Patent Law Seminar Series – 2020-2022 (Nov. 16, 2022)
- "U.S. Patent Counseling Update: USPTO Statistics, New Programs, and Federal Circuit Cases," Japan Intellectual Property Association, U.S. Intellectual Property Law Update Seminar Series – First Half of 2022 (Sept. 8, 2022)
- Berkowitz B, Huang DB, Chen-Park FE, Sigler PB, Ghosh G, "The x-ray crystal structure of the NF- κ B p50.p65 heterodimer bound to the interferon beta - κ B site," *J Biol Chem.* 2002 Jul 5;277(27):24694-700

Sectors

- Cannabis
- Health Care & Life Sciences
- Health Tech & Genomics
- Innovative Technology
- Pharmaceuticals

Practice Areas

- Chemical, Biotechnology & Pharmaceutical
- IP Due Diligence
- Intellectual Property
- Israel

Education

- Georgetown University Law Center (J.D., cum laude, 2004)
 - Intern for Judge Arthur Gajarsa, U.S. Court of Appeals for the Federal Circuit
- Yale University (Ph.D., 2001)
 - Molecular biophysics and Biochemistry Department
- Columbia University (B.S., 1994)
 - Chemical engineering

Admissions

- Virginia
- New York
- District of Columbia
- U.S. Supreme Court
- U.S. Court of Appeals for the Federal Circuit
- U.S. Patent and Trademark Office