Babak Kusha

Retired Partner

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Services

Anti-Counterfeiting & Gray Markets

Asset Creation - Prosecution & Counseling

Industries

Food, Restaurant & Beverage

Medical & Surgical Devices

Retail & Consumer Goods

Babak Kusha is a partner in the firm's Intellectual Property practice and serves as co-chair of the multidiscipline Retail & Consumer Group. Previously, he has served as a co-chair of the firm's Mechanical & Medical Device Patent Team. Babak focuses his practice on patent prosecution and counseling, with special emphasis in the electromechanical, mechanical, biomedical, related software technologies, food and beverage, and consumer goods areas. As an accomplished patent attorney and expert in design rights, Babak helps clients evaluate IP risks, implement carefully-calculated IP plans and acquisitions, and strategize the use of IP to achieve business-related goals.

Babak has extensive experience in the field of design law, including strategic design protection and enforcement including coordinating U.S. and International utility and design patent, trademark and copyright protections. He counsels clients on various aspects of intellectual property law, including clearance or freedom-to-operate, invalidity and non-infringement issues, competitive analyses, patentability opinions, invention identification and assessment, as well as preparation and prosecution of patent applications. With 20 years of experience as a Registered Patent Attorney and 12 years as a Mechanical and Nuclear Engineer, Babak advises clients on patent strategy for new products, including assisting inventors with invention disclosures; he works closely with the product management team, technical directors, design staff, technical staff and in-house corporate counsel, IP and patent attorneys.

Prior to his work in the legal field, Babak worked for 12 years as an engineer. He held his first engineering position at ABB Impell Corporation, where he specialized in nuclear and fossil fuel power. He then worked with Fluid Dynamics International, initially working with computational fluid dynamics and later opening and managing Fluent's Western Region office. His clients included many of the world's leading automotive, aerospace, defense, electronic and power utility corporations.

Babak was recommended by *Legal 500 US* in 2019 for Patent Prosecution.

Education

Illinois Institute of Technology J.D. (1999)

University of Wisconsin-Madison B.S. (1986) Nuclear Engineering, master's level coursework

University of Wisconsin-Madison B.S. (1984) Mechanical Engineering

Admissions

California (2000)

Court Admissions

U.S. Patent and Trademark Office

Professional & Community Activities

American Bar Association

American Intellectual Property Law Association

Bar Association of San Francisco

Patent and Trademark Office Society

San Francisco Intellectual Property Law Association

Insights

Alert

USPTO Issues Supplemental Guidance on Design Patent Protection for Computer-Generated Electronic Images

December 12, 2023

Publication

Counsel: Fed Circuit Design Patent Case Decreases Prior Art Burden

September 25, 2023

Events

Crafting, Enforcing, and Defending Design Patents – Proven Prosecution Tactics and Litigation Strategies

August 8, 2023

Publication

Lowering the Bar? Counsel Concerned by USPTO Design Patent Plan

May 19, 2023

Webinars

Must-Knows in Design Patents for Patent Professionals and In-House Counsel

February 8, 2023