

Dr. Benjamin Fechner

Of Counsel

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OVERVIEW

Benjamin Fechner is a European patent attorney and a German patent attorney (Patentanwalt) with more than 20 years of experience in the field of patent prosecution, opposition and appeal proceedings, patent invalidation, and patent infringement litigation, patent portfolio creation, strategic counseling, and due diligence.

Benjamin holds a master degree in physics. His experience covers a wide range of technical fields:

- Software and hardware, including cryptography, security applications, GUI and artificial intelligence
- Communications and streaming, including 3G, LTE, 5G, xDSL, WiFi, H.264/MPEG-4 AVC
- Semiconductor technology, including manufacturing processes, technical optics, lithography, semiconductor devices, integrated circuits, DSP, system-on-chip
- Medical and other electro-mechanical devices

Prior to entering the field of intellectual property, Benjamin Fechner worked as a research fellow in the field of radio frequency engineering at the Japan Atomic Energy Research Institute (JAERI) in Tōkai, Ibaraki Prefecture, Japan. His work concerned the coupling of power to a proton accelerator for use in the transmutation of actinides. He also worked as a doctorate research fellow on plasma heating at the Joint European Torus Research Project on nuclear fusion in Oxfordshire, UK.

PROFESSIONAL BACKGROUND

Prior to joining the firm in 2019, Benjamin worked in private practice and as a senior corporate patent counsel at a DAX listed semiconductor manufacturer. Benjamin advised on any matter related to intellectual property rights (IPR) including employee inventions, patents, trademarks, licensing, patent portfolio management. He designed and controlled the administration of the company's patent and trademark portfolio and developed an IPR strategy covering a variety of aspects such as invention incentive, patent portfolio management and detection of unauthorized use of the company's patents.

Benjamin also defended the company against allegations of unauthorized patent use and engaged in offensive licensing activities such as identifying patent infringement, asserting patent infringement and litigating and/or

negotiating licensing agreements. He represented the company in proceedings before the German Patent and Trademark Office (GPTO), German Federal Patent Court, the European Patent Office (EPO), and the European Union Intellectual Property Office (EUIPO).

While in private practice, Benjamin also handled patent applications for filing with the GPTO, the EPO and the USPTO, drafted opposition briefs and brought down European patents before the European Patent Office's Opposition Divisions and Boards of Appeal. He also represented clients in patent infringement and nullity proceedings.

PROFESSIONAL / CIVIC ACTIVITIES

- Licensing Executive Society (LES)
- Member of the German Association of Intellectual Property Experts (VPP)
- German Japanese Association (DJG)
- Member of the Institute of Professional Representatives before the European Patent Office (EPO)
- Member of the German Patent Bar Association (Patentanwaltskammer)

SPEAKING ENGAGEMENTS

Benjamin hosts a meetup group “Protecting innovation - patent, trademark design” where he frequently presents on the topic of intellectual property to an audience of start-up entrepreneurs. In particular, Benjamin lectures on protecting software-related inventions by European patent. In 2019, he organized and led an international panel discussion on protecting AI-related innovation.

ADDITIONAL BACKGROUND

- Qualifying examination before the European Patent Office, Munich, Germany, 2002
- Qualifying examination before the German Patent and Trademark Office, Munich, Germany, 2001
- Physics Research Fellow of the European Commission, Abingdon, UK, 1993-1996

EDUCATION

- Diplôme de Docteur (Rayonnement et plasmas), Université de Provence, 1996
- Physics, Diplom, University of Freiburg, 1992

ADMISSIONS

- European Patent Office (EPO)
- European Union Intellectual Property Office

- German Patent and Trademark Office (GPTO)
- Unified Patent Court
- German Federal Court of Justice (BGH) in nullity appeal proceedings
- German Federal Patent Court (BPatG)

LANGUAGES

- English
- French
- German
- Japanese

THOUGHT LEADERSHIP *POWERED BY HUB*

- 20 March 2023, H2 Production: A Shift Towards Electrolysis
- 20 February 2023, Global Trends in Hydrogen IP Protection
- 20 March 2020, German Constitutional Court Partly Slows Down the Unified Patent Court Agreement Process

OTHER PUBLICATIONS

- Report: Protecting AI-related innovation, www.startup-together.com, August 2019
- Publication: How can I protect my innovative idea against copycats? www.startup-together.com, May 2018
- JAERI report: Coupling of Radio Frequency Power into the Proton Accelerator of the OMEGA Project for Transmutation of Nuclear Waste of the Japanese Atomic Energy Research Institute, 1998
- Doctorate thesis: Optimization of the A2 Radio Frequency Antennas for Ion Cyclotron Heating on the Tokamak Reactor of the Joint European Torus (JET) Project for Nuclear Fusion, 1996
- Diploma thesis: Graphic online display for the transputer based current control of the high voltage system of the OPAL Jet wire chamber at CERN's Large Electron Positron Collider (LEP) Project, 1993

AREAS OF FOCUS

- IP Procurement and Portfolio Management
- IP Litigation
- Post-Grant Patents

- Technology Transactions and Sourcing

INDUSTRIES

- Digital Assets and Blockchain Technology
- Digital Health
- Hardware and Semiconductors
- Healthcare
- Technology
- Telecommunication and Mobile

EMERGING ISSUES

- Artificial Intelligence (AI)