

Joseph A. Farco

Member

Joseph A. Farco focuses his practice on intellectual property matters, including litigation involving patents, copyrights, trademarks, and trade secrets, as well as prosecution and transactions involving intellectual property.

As a trial patent lawyer, Joe represents patent owners, including inventors, and foreign and domestic companies in United States district courts, the United States Patent and Trademark Office Patent Trial and Appeal Board, and the International Trade Commission. There is no litigation task Joe cannot handle, including drafting pleadings (complaints, answers), arguing pre-trial motions, trial motions, and post-trial motions, engaging in *Markman* hearings, taking and defending against discovery, including electronic discovery (ESI), depositions, and facilities inspections, and preparing all types of witnesses (expert, non-expert, and third parties) to make a case as favorable to his clients as possible. Joe handles pre-filing due diligence for patent owners on how to best assert their patents and advises on best practices to get infringers to cease and desist. For clients who have been or face infringement concerns, Joe has helped these clients to design around patents and/or found prior art to remove such patents as a concern. Joe also prepares opinions on which his client could rely if they ever faced a threat of a lawsuit.

Joe makes advance preparation and efficient strategy development his priorities, especially for witnesses who are not native English-speakers and where numerous experts are involved. He has prepared foreign and domestic witnesses and experts for trial.


As a registered patent attorney, Joe practices before the United States Patent and Trademark Office. He counsels clients from all over the world under America Invents Act (AIA) and pre-AIA rules to obtain patent protection in the form of utility and design patents. He has helped clients to obtain patents on their inventions through appeals to the Patent Trial and Appeal Board and been involved in challenges to patent rights under *ex parte* reexaminations and *inter partes* review proceedings.


Joe uses his litigation and prosecution experience to provide opinions concerning patentability, non-infringement, and invalidity, to help his clients make well-informed intellectual property decisions for their business or avoid allegations of induced infringement and/or willful infringement of patents.


Prior to his legal career, Joe was a project engineer for Hamilton Sundstrand Space Systems, where he led a team of engineers to develop mechanical, electrical, and materials test analyses for the life-critical Extravehicular Mobility Unit worn by astronauts on space missions to and from the International Space Station.



Contact

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I Areas of practice

Intellectual Property
Intellectual Property Portfolio
Strategy, Management & Licensing
Intellectual Property Litigation,
Arbitration, and Dispute Resolution
Trademark & Copyright Protection &
Enforcement
Patent Preparation and Prosecution

I Professional Affiliations

New York Intellectual Property Law
Association

I Education

University of Florida,
M.S., Pharmaceutical Chemistry
New York Law School
J.D., Patent Law Certificate
Program
Stevens Institute of Technology
M.S., Engineering Management
B.E., Mechanical Engineering, with
honors

I Bar Admissions

New York
U.S. District Court
Eastern District of New York
Southern District of New York
U.S. Court of Appeals
Federal Circuit
U.S. Supreme Court
U.S. Patent and Trademark Office

