

Philip G. Hampton, II

SENIOR PARTNER | CHIEF DIVERSITY & INCLUSION OFFICER

he / him / his

Washington, D.C. | 202.791.8792

phampton@polsinelli.com



Philip G. Hampton, II, a senior partner with more than four decades of experience as an IP lawyer, serves as Chief Diversity & Inclusion Officer. In this position, he works collaboratively with the Board of Directors to establish the firm's diversity and inclusion strategy, including setting and monitoring goals for recruiting, retaining and advancing diverse legal professionals. He leads diversity-related activities and firm resource groups and subcommittees.

Phil has been involved in diversity, equity and inclusion programs and initiatives for most of his professional career. He has mentored dozens of minority and female IP students and young lawyers. While serving as the Assistant Commissioner for Trademark in the U.S. Patent and Trademark Office (USPTO) during the Clinton Administration, minority attorneys increased by more than 400%. He proposed innovative solutions to foster diversity and inclusion, for which two of his former firms were awarded the Minority Corporate Counsel Association's esteemed Thomas L. Sager Award.

Phil is a former President and Scholarship Committee Chairman of Foundation for the Advancement of Diversity in Intellectual Property Law (FADIPL). In 2016, Phil was the inaugural recipient of the Diversity in Tech Award presented by the IP Section of the National Bar Association. Phil also teaches Trademark Law at Howard University School of Law, where he has served as an adjunct professor for more than a decade.

While serving as the Chief Diversity & Inclusion Officer, Phil is an active member of Polsinelli's Intellectual Property Department. Phil's decades of experience in patent and trademark litigation, patent and trademark counseling, trademark prosecution, enforcement, maintenance and licensing of all types of intellectual property, are valuable to less established department members. He has been an expert witness in almost three dozen trademark infringement actions and has served as a Special Master in several patent infringement actions for the U.S. District Court for the District of Maryland.

Phil has been involved in patent and trademark litigation in U.S. district courts, mini-trials, ITC Section 337 hearings, and Trademark Trial and Appeal Board opposition and cancellation proceedings. He always seeks creative, cost-effective solutions to his client's legal problems.

Capabilities

- Trademark, Copyright & Branding
- Patent Litigation
- Intellectual Property
- International Intellectual Property
- International Patent Filings & Strategy
- International Trademark & Clearance
- Trademark Clearance & Prosecution

Phil has prepared, filed, and prosecuted U.S. and foreign patent applications, and he has also prepared opinions regarding patentability, validity, and infringement issues. With his knowledge of the USPTO people and processes, Phil has conducted investigations of "atypical" prosecutions of patent applications within the USPTO.

Phil has represented U.S. and foreign clients in many capacities for trademark law, including:

- preparing, filing and prosecuting trademark applications
- preparing trademark opinion letters
- preparing and filing appeals to the Trademark Trial and Appeal Board
- conducting opposition and cancellation proceedings

Also, during his tenure at the USPTO, Phil oversaw the reengineering of the agency. He promulgated almost 200 Commissioner's Decisions and oversaw the first new edition of the Manual of Trademark Examining Procedure in almost ten years.

Education

- University of Chicago Law School (J.D.)
- Massachusetts Institute of Technology (S.M.)
 - Chemical Engineering
- Massachusetts Institute of Technology (S.B.)
 - Chemical Engineering

Bar Admissions

- New York
- District of Columbia
- Admitted to practice before the United States Patent and Trademark Office

Court Admissions

- U.S. Supreme Court
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court for the District of Columbia
- U.S. Court of Appeals, Federal Circuit
- U.S. Claims Court

Memberships

- Foundation for the Advancement of Diversity in Intellectual Property Law (formerly known as American Intellectual Property Law Education Foundation)
 - President, 2008-2011
 - Chairman, Scholarship Committee, 2004-2008
- American Bar Association
 - Co-Chair Int'l Trademark Treaties and Laws Committee, 2008-2009
 - Co-Chair Trademark Legislation Committee, 2007-2008
 - Chair, PTO Relations (Trademarks Committee, 2005-2007)
- American Intellectual Property Law Association (AIPLA)
 - Board of Directors, 2004-2007
- Washington Bar Association, Life Member
 - General Counsel (2016 -2018)
- Master, Giles S. Rich American Inn of Court, 2004-2008

- National Bar Association, Life Member
 - Executive Committee, 1990-1993
 - Board of Governors, 1989-1994
 - Chair, Intellectual Property Section, 1989-1991
- University of Chicago Law School, Member of the Visiting Committee (1995 – 1998)
- DePaul University College of Law
 - Intellectual Property Advisory Board, 1999-2003
- International Trademark Association, member of various committees since 2000

Recognition

- Washington Bar Association Hall of Fame, Inducted 2022
- Recipient of the Mark T. Banner Award, presented by the IP Law Section, ABA, 2021
- Designated a “Titan of the IP Bar” by AIPLA, 2021
- Selected for inclusion in Washington, D.C. *Super Lawyers*, Thomson Reuters, 2015-2022
- AV Preeminent Rating, *Martindale Hubbell*, 2014-2021
- Fellow, American Bar Foundation, 2016
- Recognized in *World Trademark Review* (WTR) 1000, Globe Business Publishing Ltd, 2011, 2013-2019
- Named one of “2022 Most Influential Black Lawyers” by Savoy Magazine

Community

- Board of Directors – Leadership Greater Washington
 - Class of 2005
 - Member, 2015-2021
- Board of Directors – Council for Court Excellence, 2013-2017
- Life Member – Kappa Alpha Psi Fraternity, Inc., 2016-2020
 - General Counsel – Washington D.C. Alumni Chapter, 2010-2012
- Peoples Congregational United Church of Christ
 - Trustee, 1999-2005, 2006-2012, 2021
- Deputy State Whip for Clinton/Gore campaign, Democratic National Convention, 1992

Matters

- Successfully asserted four patents at the U.S. International Trade Commission
- Successfully sued a competitor, falsely identifying its products as being patented.
- Achieved an eight-figure jury verdict in a trade secret matter involving internet security.
- Provided expert testimony for several winning parties in trademark cases.
- Achieved a \$10 million jury verdict in a trade secret case in the Eastern District of Virginia

Publications

October 14, 2022

Inaugural Law and Technology Summit Tribute and Awards Dinner

Keynote Speaker, NCCentral University Technology & Policy Center