

KAIN & ASSOCIATES
ATTORNEYS AT LAW

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Patent - Trademark - Copyright - Computer Law
Trade Secret - Domain Disputes

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BIOGRAPHIC PROFILE
ROBERT C. KAIN, JR.

Education:

B.E. in Electrical Engineering and B.S. in Engineering Science - Vanderbilt University (1976).

J.D., Vanderbilt University School of Law (1978).

Current Experience:

KAIN & ASSOCIATES, ATTORNEYS AT LAW P.A., ... Ft. Lauderdale, Fla.

Robert Kain is a Florida Bar Board Certified Intellectual Property Attorney. The firm limits its practice to intellectual property (patent, trademark, copyright, computer and trade secret) matters. Robert Kain is a specialist in Intellectual Property and has practiced exclusively in the intellectual property field for almost 30 years. He has extensive experience in domestic and international prosecution and transactional matters involving patent, trademark, copyright, trade secret, unfair competition, computer law matters, Internet law and local and national litigation, mediation, arbitration and domain name dispute resolution. Robert Kain has 30 experience in patenting computer hardware and software and protecting computer systems under copyright, trade secret and patent laws.

Practice involves all phases of intellectual property: patent, trademark, copyright, trade secret, computer and multimedia law, domain disputes, related litigation in state and federal courts, arbitration and mediation of I.P. matters, domain name dispute resolution and administrative actions before the U.S. Patent and Trademark Office and the U.S. Copyright Office. Internationally, we represent, through qualified foreign associates, clients before the European Patent Office and the Patent and Trademark Offices of Canada, Mexico, Japan, Taiwan, Australia, U.K., Brazil and many other countries.

Practice also includes domestic and international business counseling and I.P. audits, licensing intellectual property and facilitating transfers of technology. Specifically involved in securing U.S. and foreign patents and trademarks for electrical, mechanical, computer hardware, software and biomedical products.

Professional Achievements:

Former Chairman and current member, Florida Bar's **Intellectual Property Law Certification Committee**. The Committee certifies other Florida Bar lawyer as being specialists in I.P. (Intellectual Property field). Appointed by the President of the Florida Bar to the Inaugural Intellectual Property Law Certification Committee 2006, Vice-Chairman 2007 - 2008, Chairman 2009 - 2010, reappointed 2010.

2010 selected as a nationally recognized Super Lawyer.

Martindale-Hubbell AV rated continuously since 1984.

Speaker, **2007 - Revolutionary Times U.S. Patent Practice - Three Events Every Practitioner Should Know - the August 2007 Rule Change, KSR and Seagate Technology** CLE Seminar for several major Chinese and Japanese I.P. law firms.

Speaker, **Broward County Bar Association** CLE Seminar, *Countdown to Y2K - Are You Ready*, January, 1999; and author of *Overview of Y2K Issues...*

Panelist, **Florida Bar** CLE Seminar, *Potholes on the Infobahn - Practical Issues in Computer Law*, June, 1997.

Adjunct Professor of Law, **Nova Southeastern Law School**, Fort Lauderdale, Fla. Course: Patents. 1990 - 1995.

Guest Lecturer, **Nova Southeastern Law School**, Course: Trademarks & Copyrights, Topic: Copyright Protection for Computer Programs. 1993 - 1995.

Lecturer, **Florida Bar** Approved CLE 1990 - 1995, *Patents, Trademarks, Copyrights and Trade Secrets -- A Lawyer's Summary*.

Lecturer on intellectual property rights for the **Small Business Development Centers** and local trade and professional associations.

**Florida Bar Designated Field of Practice 1990 - 1996 -- Patent, Trademark,
and Copyright Law**

Technical Experience:

Computer hardware and software programs, electrical, mechanical and biomedical devices, in general, and the following highly technical subjects: Internet-based computer systems, financial products and transactional computer patents, computer data security systems, video image processing, telecommunications, microprocessors, analog and digital control systems, semiconductors, radar, lasers, optical devices, fiber optics, radio, cellular phone systems, mobile communications, television, medical devices such as pacemakers, defibrillators, catheters, and ultra-sound systems, stents, laproscopic devices, non-destructive testing methods and equipment, electrical power generators, metallurgical compositions, electrical power circuits, lamps, CD technology, VCRs, nuclear reactors and reactor control systems, and jet aircraft engines.

**Prior
Experience:**

FLEIT, KAIN, GIBBONS, GUTMAN, BONGINI & BIANCO P.L. Ft. Lauderdale, Miami, and Boca Raton, Fla., 2000 - 2008. Founding member. The Fleit, Kain firm specialized in intellectual property matters.

ROBERT C. KAIN, P.A. of Ft. Lauderdale & Miami, Fla., 1996 - 2000, firm specialized in intellectual property matters. From 2000 - 2008, this firm managed the Ft. Lauderdale Office of Fleit, Kain, Gibbons, Gutman, Bongini & Bianco, P.L.. Practice involved all phases of intellectual property and related litigation.

CESARANO, KAIN & VAN DER WALL, P. L. . . . Miami, Fla.

Professional Limited Liability Company, 1995 - 1996. Members of the firm included Cesarano & Kain, P.A. and Robert J. Van Der Wall, P.A. The firm specialized in intellectual property matters.

CESARANO & KAIN, P. A. Miami, Fla.

CEO and shareholder, 1990-1996. The firm specialized in intellectual property matters.

1987-1990 -- Associate with the firm **Eckert Seamans Cherin & Mellott**, West Palm Beach, Fla. (formerly **Steele, Gould & Fried**, of Miami). Manager and founder of the Miami branch office of Steele, Gould & Fried during 1987-1990. Practice limited to intellectual property.

1986-1987 -- Associate with **John Cyril Malloy, P.A.**, Miami, Fla. Practice limited to intellectual property.

1984-1986 -- Associate with the Washington, D.C. law firm of **Fleit, Jacobson, Cohn & Price**. Practice limited to intellectual property. Extensive experience in domestic and international patent prosecution.

1982-1984 -- Patent attorney for **General Electric Company**, Large Steam Turbine-Generator Division. Handled a wide range of intellectual property matters for the Division. Extensive experience in domestic patent preparation, computer control systems, and prosecution and domestic and international licensing of technology.

1981-1982 -- Patent attorney for **General Electric Company**, Washington, D.C. Bureau. Conducted numerous patentability, validity and infringement searches. Drafted patent applications, validity and infringement opinions for the Company.

1979-1981 -- Solo practice as **Robert C. Kain, Jr., P.A.**, Lauderhill, Fla. General practice including state and federal court litigation.

1978-1979 -- Staff attorney for **Legal Aid Service of Broward County, Florida**. State and federal court litigation involving health care matters for indigent.

**Professional
Licenses and Associations:**

Board Certified, by the Florida Bar, Intellectual Property Law as an intellectual property law specialist. 2008 - present.

Admitted to practice before the Florida Bar, District of Columbia Bar, New York State Bar, Southern and Middle Districts of Florida, Court of Appeals for the Federal Circuit, the Third, the Fourth, the Fifth and the Eleventh Circuit Courts of Appeal, and registered to practice before Patent and Trademark Office (Reg. No. 32,648).

American Bar Association, member: Patent, Trademark and Copyright Law Section and Law Practice Management Section; American Intellectual Property Law Association, member: Computer and Electronic Law Committee; Florida Bar, member: Computer Law Committee; Dade County Bar and Broward County Bar Associations; South Florida Patent Bar Association.

Publications:

Patent Must Describe Claimed Functions Since Non-Disclosure Invalidates Claimed Invention, Intellectual Property Today, 2009.

The Florida Bar Business Law Journal, Case Law Update 2009, contributing author, The Florida Bar Business Law Journal, 2009, pp. 188 - 197.

Business Method Patents - Defining Your Viewpoints and Your Rights, Florida Bar Journal, April, 2006, pp. 40 - 44.

A Competitor's Right to Copy, Intellectual Property Today, July 2004, pp. 28-31.

The Day the Music Died for Patent Owners, Intellectual Property Today, June 2001, pp. 10-11.

Rolling a Ball Uphill: the Defense of a Domain Name under ICANN's Dispute Resolution Policy, Intellectual Property Update, Daily Business Review, Sept., 2000 pp. 7-8.

Corporate Names, Domain Names and Trademarks: Use and Registration Required, Daily Business Review, Florida Business Advisory Supplement, Oct., 1999, p. 4

Overview of Y2K Issues and Solutions: Spotting the Problem Areas, paper presented at CLE Seminar January, 1999, Broward County Bar Association

Computer Software Patents - Anything Under the Sun Made By Man, Florida Bar Journal, Dec., 1996

Independent Contractors and Computer Crimes -- The Impossible Prosecution?, 1 Boston U.J. Scien. Tech. Law 13, 1995.

Should the Federal Circuit Vacate a Judgement of Patent Invalidity merely because the Patent was not Infringed?, ABA's Preview of U.S. Supreme Court Cases, February, 1993.

May 21, 2010
Page 6

Co-author, *Commercial Defamation and Trade Disparagement Under Federal Law - The Newly Expanded Scope of Section 43(a) of the Lanham Act*, Journal of Proprietary Rights, August, 1989.

Community Service:

Chairperson, Facilities Task Force, Broward County Schools 1993, vice-chairperson 1992, member 1989-1997.

Co-Chairperson, Student Assignment Committee, Broward County Schools Controlled Choice Magnet Program, 1994-1995.

Member, Facilities/Technology Subcommittee for the Broward Education Planning Initiative (Broward County School Board), 1993.

Vice-President Stirling Elementary PTA 1989-1997.