

Partner

Calista J. Mitchell

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📍 Chicago, IL



Profile

“It is rewarding to work with inventors to understand and protect their inventions and to see the process inspire them to think of their inventions in a new way.”

Calista Mitchell practices in all areas of intellectual property law, with a primary focus on counseling clients in developing comprehensive international IP development, protection, acquisition, and enforcement strategies. She is involved in everything patent-related, from patent drafting and prosecution to opinions concerning freedom-to-operate, patent validity, and patentability and to patent-related transactional agreements. She has an active prosecution docket, both in the U.S. and abroad. Calista works closely with clients in the application drafting and prosecution stages so that their patent portfolios continue to meet their changing business needs around the world.

In addition to her general IP experience, Calista has an extensive design patent practice. Calista has filed hundreds of design patent applications in the U.S. and overseas and works closely with clients to maximize the scope of protection sought and obtained in those applications. She also regularly advises overseas clients on how to modify their applications before filing in the U.S. to take advantage of differences in U.S. patent laws and procedures to enhance the value of their IP.

Calista also has broad experience counseling clients on complex agreements (including MSAs, MTAs, JDAs, NDAs, and license agreements).

She regularly supports clients in the food science, biotechnology, pharmaceutical, medical device, consumer product packaging, personal care product, chemical processing, and oral care product industries.

From the outset of her legal career, Calista has been an integral part of Fitch Even, starting as a law clerk in her final year of law school. Since then, Calista has been invested in making Fitch Even a great place to work and build a career, creating opportunities for young attorneys, and supporting the firm's DE&I efforts.

Calista is a member of Fitch Even's Executive Committee and Compensation Committee, and Chair of the Diversity, Equity, and Inclusion Committee.

Calista earned her law degree from Chicago-Kent College of Law, where she also served as Executive Articles Editor for the *Chicago-Kent Law Review*. Prior to law school, Calista earned her Bachelor of Science in Microbiology from the University of Iowa, where she worked in various laboratories studying bacterial cell division and viral pathogenesis.

Education

J.D., Chicago-Kent College of Law, 2005, *with Honors*

B.S., Microbiology, University of Iowa, 2000

Bar Admissions

Illinois

U.S. Patent and Trademark Office

Recognition

Named a *Leading Lawyer in Illinois in Intellectual Property Law and Patent Law (2022–24)*

Selected for inclusion in *Illinois Super Lawyers – Rising Stars for Intellectual Property Law (2009, 2014–18)*

Selected as an *Emerging Lawyer in Intellectual Property Law, Leading Lawyers Network (2015–18)*

Services

International IP Protection

IP Portfolio Management

IP Strategy Development

Patent Preparation + Prosecution

Product Clearance + Legal Opinions

Industries

Biotechnology + Pharmaceuticals

Chemicals + Chemical Engineering

Consumer Products + Packaging

Food + Agricultural Sciences

Mechanical Engineering + Manufacturing

Medical Devices + Diagnostics

Representative Matters

- Drafts and prosecutes numerous patent applications relating to key technologies for global food company.
- Coordinates complex patent drafting and filing strategy for large international patent portfolio relating to client's commercially successful technology and related technologies.
- Advises numerous clients on strategy for filing design patent applications, including coordinating design protection with utility patent filings in order to provide competitive advantage.

Presentations + Publications

Presentations

- "Design Patents: A Panel Discussion," Chicago Bar Association Webinar, October 15, 2024.
- "Design Patents: A Panel Discussion," Chicago Women in IP, October 9, 2024.
- "Knowing Your Value & Negotiating Your Salary," Women in eDiscovery, Chicago, Ill., May 16, 2023.
- "Design Patents in the U.S. and Japan: Leveraging the Differences in Laws to Maximize Protection," Fitch Even Webinar, with Tomohiro Nakamura, May 20, 2021.
- "Recent Updates in Design Patent Law," Fitch Even Webinar, with Joseph H. Herron, October 12, 2016.
- "Protecting U.S. and Canadian Patents and Designs and Understanding Your Duties Before the Patent Offices," webinar sponsored by the Young Practitioners Committee of the Intellectual Property Institute of Canada, March 27, 2012 (co-presenter).

Publications

- Maloney, T.P., Kaba, R.A., Krueger, J.P., Kratz, R., and Mitchell, C.J., "Intellectual Property in Drug Discovery and Biotechnology," in Burger's Medicinal Chemistry and Drug Discovery, 7th Ed., Eds. D. J. Abraham and D. P. Rotella. (Hoboken, N.J.: Wiley, 2010).

Memberships

- Chicago Women in IP