

Partner

Rudy I. Kratz

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## Profile

“I came to Fitch Even from a large general practice firm so I could work at a collegial firm dedicated to IP law. We share our best ideas as well as best practices, a great benefit to our clients.”

A partner in the firm’s Chicago office, Rudy I. Kratz supervises Fitch Even’s International Practice Group. In this role, he counsels clients seeking patent and design protection in key jurisdictions and in developing and implementing international IP protection strategies.

Rudy also manages the firm’s relationships with an extensive network of leading firms across the globe. In this capacity, he works with international agents in the preparation and prosecution of patent and design applications in countries and jurisdictions in all regions of the world, including, as representative examples, Argentina, Australia, Brazil, Canada, China, the European Patent Office, Japan, Korea, New Zealand, Russia, and South Africa. Rudy prepares Patent Cooperation Treaty (PCT) applications and pursues international protection through PCT national phase and Paris Convention applications. In addition, he is knowledgeable about strategies for and alternative forms of IP protection in countries outside the United States.

In addition to his focus on international IP protection, Rudy handles IP procurement and counseling matters in the U.S. He assists clients with U.S. patent preparation and prosecution and with opinions regarding patentability, infringement, and validity. Rudy also prepares and prosecutes patent and design applications in the U.S. for international agents and clients, including PCT applications entering the U.S. national phase.

With a technical background in physics, Rudy has worked with clients engaged in a variety of mechanical and electrical fields, including appliances, biomedical products and monitoring, building and roofing materials, computer-implemented systems and processes, control systems, cutting

## Education

J.D., University of Illinois  
College of Law, 1993, *summa cum laude*

B.S., Engineering Physics,  
University of Illinois, 1990,  
High Honors

B.A., Psychology, University of  
Illinois, 1990, *summa cum laude*

## Bar Admissions

Illinois

U.S. Patent and Trademark  
Office

U.S. Court of Appeals for the  
Federal Circuit

U.S. Court of Appeals for the  
Seventh Circuit

U.S. District Court for the  
Northern District of Illinois

## Services

International IP Protection

IP Portfolio Management

IP Strategy Development

Patent Preparation +  
Prosecution

Product Clearance + Legal  
Opinions

tools, irrigation systems, microscopy, security devices, spectroscopy, telecommunication networks, and vehicle systems and components.

Rudy also has experience with the enforcement of IP through licensing and litigation. He has represented clients in patent infringement, trademark and trade dress infringement, unfair competition, contract, licensing, and copyright actions in the U.S. and has successfully litigated cases before various district and appellate courts throughout the U.S. In addition, Rudy has worked with international agents to enforce IP rights, as well as to defend against the assertion of IP rights, in countries outside of the U.S.

## Industries

Computer Software +  
Hardware

Electronics

Energy + Clean Technology

Mechanical Engineering +  
Manufacturing

## Representative Matters

- Represented multinational client in its patent and design filing protocol and strategy with applications in numerous countries worldwide.
- Represented worldwide leader in irrigation technology in preparing numerous U.S. and international patents and designs.
- Represented large company in preparing, prosecuting, and maintaining intellectual property directed to commercial vehicles, including designs, patents, trademarks, and licensing relating to suspension seat systems, interior trim systems, molded products, cabs, and electrical systems involving mirrors, wiper systems, and electronic wiring harness assemblies.
- Represented large global electronics company in preparing numerous patent applications in the U.S. and other countries directed to computer-implemented technologies.
- Represented small company in prosecuting patent applications directed to roofing technology.
- *Auto Meter Products, Inc. v. Maxima Technologies & Systems, LLC*. (N.D. Ill. 2005). Represented Plaintiff in a trademark and trade dress infringement action involving automotive measuring instruments. Settlement reached.
- *The Chamberlain Group Inc. v. Lear Corp., et al.* (N.D. Ill. 2001). Represented Plaintiff in a patent infringement action involving rolling code encryption technology for use with garage door openers. Settlement reached.
- *Chemetall GmbH v. ZR Energy, Inc., et al.* (7th Cir. 2001). Represented Plaintiff in appeal of jury verdict and judgment in favor of Plaintiff in a trade secret misappropriation action involving zirconium metal powder. Judgment affirmed.
- *DESA IP, LLC, and HeathCo, LLC v. EML Technologies, LLC and Costco*

*Wholesale Corp.* (M.D. Tenn. 2004). Represented Plaintiff in patent infringement action involving motion-sensing security lights. Settlement reached.

- *Harvest Technologies Corporation v. Cytomedix, Inc.* (D. Mass. 2002). Represented Defendant in declaratory judgment action regarding infringement of wound treatment patents. Settlement reached after a weeklong trial.
- *In re Certain Garage Door Operators Including Components Thereof* (ITC 2001). Represented Complainant in International Trade Commission action involving patent infringement of remote learning technology for use with garage door openers. Settlement reached.
- *Microchip Technology Corporation v. The Chamberlain Group Inc.* (D. Ariz. 2001). Represented Defendant in declaratory judgment action in district court and on appeal regarding patent infringement of remote learning technology for use with garage door openers. Action dismissed and attorneys' fees awarded to Defendant.

## Presentations + Publications

### Presentations

- "European Patent Filing Strategies: Choosing the Appropriate Option," Fitch Even Webinar, August 30, 2016.
- "Raising the Bar: New EPO Rules," Fitch Even Webinar, 2009.

### Publications

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

## Memberships

- American Intellectual Property Law Association
- Intellectual Property Law Association of Chicago