



## **CORY G. SMITH**

**Partner**

**Phoenix**

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## **BIOGRAPHY**

Cory Smith is a registered patent attorney whose practice focuses on intellectual property law and technology transactions, with an emphasis on computer-related technologies. He has extensive experience in patent preparation and prosecution, patent litigation and pre-litigation, post-grant proceedings, patent analysis and counseling (including tear-down, freedom-to-operate, invalidity, and infringement opinions), trademark preparation and prosecution, trademark counseling, trademark disputes, copyright preparation and prosecution, and copyright disputes. He is also considered a thought leader on the intersection of patent and artificial intelligence issues.

Cory regularly handles patent matters in the U.S. and foreign jurisdictions in many areas of technology, including computer software, computer hardware, artificial intelligence, cloud computing, cryptography, computer networking, data communications, robotics, electronics, sensing systems, imaging, simulators, data science applications, machine learning and large language

models, block chain, cybersecurity, virtual reality, payment services, financial technology, agricultural technology, e-commerce technology, mobile applications, business applications, business methods, mechanical devices, construction materials, sports equipment, toys, and consumer goods.

He has handled many technology transactions, including negotiating software acquisitions and licenses, handling intellectual property and software aspects of mergers, acquisitions, and other corporate transactions, and performing due diligence. Cory also has extensive experience handling open source software issues. Additionally, he has handled various pro bono matters, including assisting nonprofits with intellectual property issues and representing low-income parents in severance and adoption proceedings.

Cory has a bachelor's degree in computer engineering. His technical experience includes a position as an engineer at IBM, where he designed and developed data storage systems.

Prior to joining the firm, Cory served as a law clerk for the Honorable A. John Pelander at the Arizona Supreme Court. During law school, he served as managing editor of the *Arizona Law Review* and as secretary of the J. Reuben Clark Law Society. Cory also served as an extern for the Honorable Paul E. Tang of the Pima County Superior Court.

## CIVIC INVOLVEMENT & HONORS

- *Best Lawyers in America: Ones to Watch*, Patent Law, 2024
- DeConcini, McDonald, Yetwin & Lacy Academic Achievement Award

## ADMISSIONS

- Arizona, 2011
- United States Patent & Trademark Office
  - United States District Court for the District of Arizona
  - United States Court of Appeals for the Federal Circuit

## EDUCATION

The University of Arizona, J.D., *summa cum laude*, Order of the Coif, 2011

The University of Arizona, B.S., *summa cum laude*, 2004

## RELATED PRACTICE AREAS

- Intellectual Property and Technology
- Litigation & Dispute Resolution
- Regulation, Compliance & Advisory
- Trademarks: Counseling, Prosecution & Practical Business Services
- AdTech
- PropTech
- Patents: Counseling, Prosecution & Practical Business Services
- Patents: Litigation

## RESOURCES

### PUBLICATIONS

- "[6 Joint-Inventorship Lessons From Fed. Circ.'s Hormel Ruling](#)," Law360, August 3, 2023
- "Fed. Circ. Light Case Illuminates Scope of IP Claim Language," Law360, June 5, 2023
- "What Really Doomed Kidney Test Patents in Fed. Circ. Ruling," Law360, December 16, 2022
- "Duty of Candor and Good Faith with the USPTO Covers Non-Inventors and Non-Practitioners," Law.com, October 2022
- "Fed. Circ. Ruling Instructive on Defeating Patent Obviousness," Law360, October 13, 2022
- "Tips for Experimental-Use Agreements to Avoid On-Sale Bar," Law360, September 14, 2022
- "Fed. Circ. Acne Drug IP Holding Clarifies Obviousness Factors," Law360, May 24, 2022
- "Reckless Disregard for the Truth of a Material Statement Made to the USPTO is Sufficient for Proving the Intent to Deceive," Law.com, January 2022

## RELATED INSIGHTS

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## **Lawyers co-author article in 'Law360' on patent reissuance options**

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### **Duty of Candor and Good Faith With the USPTO Covers Non-Inventors and Non-Practitioners, 'Law Journal Newsletters'**

BCLP Partners George Chen and Cory Smith and Law Clerk Ryan Fitzpatrick authored an article published in the October issue of Law Journal Newsletters concerning the significance of the Federal Circuit decision in *Belcher Pharm. v. Hospira, Inc.* They highlight that practitioners and non-practitioners associated with the examination of patents and patent applications should be vigilant about information that may be material to patentability to avoid having an issued patent be deemed unenforceable.

Insights

Sep 15, 2022

### **Experimental-use agreements: tips to avoid on-sale bar to patentability**

Associate LiJen Shen and Partners Cory Smith and George Chen authored an article published Sept. 14 in Law360 concerning the U.S. Court of Appeals for the Federal Circuit recently revisiting the application of the experimental-use exception to the on-sale bar to patentability.

Insights

Jan 14, 2022

### **Attorneys Author Article in 'Law Journal Newsletters' on Standard for Deceptive Intent**