



Rick D. Nydegger

Founder & Senior Counsel

Email

rnydegger@wnlaw.com

Phone

801.533.9800

Rick D. Nydegger is registered to practice before the U.S. Patent and Trademark Office, and is admitted to the U.S. Supreme Court, the Federal Circuit Court of Appeals, and the Utah Supreme Court. He has extensive experience in the prosecution of electronic, software, information science, e-commerce technologies and medical device technologies, and represents many of Workman Nydegger's major clients in these areas. He assisted in litigating many of the early patent litigation cases handled by the Firm. He has served as a mediator and also as an arbitrator in a number of major patent cases. He has extensive licensing experience, and frequently counsels clients in the areas of offensive and defensive IP portfolio management, due diligence for IP asset acquisitions and mergers. Mr. Nydegger is nationally known for his work leading several major IP associations (including the American Intellectual Property Law Association, the National Council of Intellectual Property Law Associations, and the National Inventors' Hall of Fame). He is also well known for his work with the U. S. Patent Office in assisting in the development of policy and other initiatives, having served as Chair of the Patent Public Advisory Committee by appointment of the Secretary of the Department of Commerce. He also served as an adjunct professor of Intellectual Property for over a decade, and has frequently lectured and published a number of articles and other writings in the field of Intellectual Property. Mr. Nydegger has been received numerous awards and recognitions in the field of Intellectual Property. Some of them include *Who's Who In American Law* (since 2000), *Chamber USA* (Band 1 Ranking), *International Who's Who of Patent Lawyers* (since 2008), *Best Lawyers in America* (listed for 25+ years), *Martindale-Hubbell* (AV Preeminent Peer Rating), *Fortune Magazine's Top Rated Lawyers in IP* (2013), *Alumnus of the Year (2005) BYU J. Reuben Clark Law School*, *Honorary Alumnus of the Year (2004) University of Utah S. J. Quinney Law School*.

Education

J.D., *cum laude*, J. Reuben Clark Law School, Brigham Young University, 1977 (Honorary Member, Order of the Coif, 2002)

B.S., *cum laude*, Electrical Engineering, Brigham Young University, 1974

Admissions

Registered Patent Attorney, U.S. Patent and Trademark Office, 1977

Utah State Bar, 1977 - Present

American Bar Association, 1977 - Present

Federal Circuit Bar Association, 1982 - Present

United States Supreme Court, 1990

U.S. Court of Appeals for the Federal Circuit, 1994

U.S. Circuit Court of Appeals, Fifth and Tenth Circuits, 1980

U.S. District Court, Central District of Utah, 1977

Utah State Supreme Court, 1977

Community Involvement

- Economic Development Corporation of Utah (Board of Trustees, 2008 - 2009)
- Utah State Centennial Commission (Chair, Lawyers Centennial Committee, 1996 - 1997)
- United Way
- The Children's Center
- BYU Law School Alumni Association
- Collegiate Inventors' Competition, National Inventors Hall of Fame
- Camp Invention, National Inventors Hall of Fame
- Primary Children's Medical Center
- Salt Lake County Sheriff's Association
- Utah Food Bank
- The Road House

Languages

Portuguese

Experience

- From 1989 to 1998, Mr. Nydegger served as an Adjunct Professor at the University of Utah's S. J. Quinney Law School, and was recognized by the law school as an Honorary Alumnus in 2004. Beginning in 1998, he was invited to serve on the adjunct faculty of Brigham Young University's J. Reuben Clark Law School, where he helped to expand the school's intellectual property curriculum. He was made an honorary member of the Order of the Coif by the BYU Law School in 2003 and was recognized in 2005 as the BYU Law School's Honored Alumnus of the Year.
- Mr. Nydegger has worked closely with the U.S. Patent and Trademark Office (USPTO) in the development of several important policy initiatives over the years. He assisted with the drafting of several widely used Guidelines adopted by the USPTO for the use of its patent examining corp when conducting examination of software related inventions. He assisted the USPTO in the development of its 21st Century Strategic Plan and in July 2003, he was appointed by the Secretary of the Department of Commerce to a three year term as Chair of the Patent Public Advisory Committee, which was created by statute in 1999 to advise the U.S. Patent and Trademark Office on matters concerning the "policies, goals, performance, budget and user fees of the USPTO with respect to patents." 35 U.S.C. § 5(d).
- Mr. Nydegger has been a frequent spokesman for the American Intellectual Property Law Association on legislative and regulatory developments. He was counsel of record and co-author of AIPLA's amicus brief in *Metro-Goldwyn-Mayer Studios Inc., et al. v. Grokster, LTD, et al.* (U.S. Sup. Ct. No. 04-480, 6/27/05). He was the principal author of the AIPLA's response to the Commissioner's Request for Comments on Computer-Related Inventions (1994), its amicus brief in *In re Beauregard* (Fed. Cir. 1995), and its response to the European Patent Commission's Green Paper Requesting Comments On the Patentability of Computer Software in the European Patent Office (1997). He served as spokesman for the AIPLA on the USPTO's Roundtable On Business Method Patents (1999) and was asked to lead a special task force of the AIPLA in working with the USPTO on the development of its 21st Century Strategic Plan. He served as the President of the AIPLA during 2003 – 2004, and in 2000 he was inducted as a Fellow of the AIPLA, one of 20 members to initially receive this honor for outstanding service.

Memberships

- American Intellectual Property Law Association (AIPLA), 1984 – present (President, 2003– 2004)
- Patent Public Advisory Committee (Chair) (created by the Patent and Trademark Office Efficiency Act of 1999, to advise the U. S. Patent and Trademark Office on matters relating to the USPTO's policies, goals, performance and budget
- National Inventors Hall of Fame (President, 2003 – 2005)
- National Council of Intellectual Property Law Association (President, 2000 – 2001)
- American Intellectual Property Law Education Foundation (Member, Board of Trustees, 2000-2003)
- United States Supreme Court Historical Society (Trustee)