

**STEPHEN Y. CHOW**

11 Beacon St., Ste. 900

Boston, MA 02108

617-886-9288

**ATTORNEY:** N.Y. (1980); Mass. (1983); U.S. Patent & Trademark Office (1984); U.S. Sup. Ct. (1983); 1st Cir. (1983); 2d Cir. (1982); Fed. Cir. (1984); D. Mass. (1983); S.D.N.Y. (1980); E.D.N.Y. (1980); N.D.N.Y. (2014).

**Massachusetts Commissioner on Uniform State Laws**  
**American Law Institute ("ALI")**

1994-present  
elected 1996

**PROFESSIONAL HISTORY**

**HSUANYEH LAW GROUP, PC**

Boston, MA

6/18-present

Managing Attorney: business litigation, patent preparation and transactions

**BURNS & LEVINSON (Perkins, Smith & Cohen)**

Boston, MA

1/94-5/18

Partner, Intellectual Property, Business and Business Litigation Departments: patent, copyright, trademark, trade secrets, corporate and computer litigation, patent preparation, licensing, employment, financing and work-outs for emerging enterprises (chemical, electronics, financial, life sciences, materials, medical devices, software).

**CESARI and McKENNA**

Boston, MA 11/85-4/88, 1/91-12/93

Partner: patent, trademark, copyright, antitrust, trade and computer litigation; patent preparation (biotech, electronics, software); patent clearances and business counseling.

**NUTTER, McCLENNEN & FISH**

Boston, MA

5/88-12/90

Partner, Intellectual Property Department: intellectual property and business litigation; patent preparation; technology audits; technology licensing; acquisitions/spin-offs.

**GASTON SNOW & ELY BARTLETT**

Boston, MA

11/82-10/85

Associate, Trial and Corporate Departments: bank regulation; acquisition, antitrust, computer, construction, copyright, employment, environmental, franchise, patent, securities, telecommunications, trademark and UCC litigation; technology audits, venture structuring.

**DONOVAN LEISURE NEWTON & IRVINE**

New York, NY

9/79-10/82

Associate, Litigation Department: administrative, antitrust, corporate, energy, franchise, intellectual property, securities and tax litigation; **Special Assistant District Attorney, N.Y. County** (Appeals) 1980-82; Special Assistant NYC Corporation Counsel (1980-81).

**EDUCATION**

**COLUMBIA UNIVERSITY** J.D. 1979 Harlan Fiske Stone Scholar; Barney Jaffin Prize; Editor, *Columbia J. Environ. L.*, part-time associate, **Fish & Neave** (NYC), **Kenyon & Kenyon** (NYC), **Fitzpatrick, Cella, Harper & Scinto** (NYC), summer associate, **Kirkland & Ellis** (Chicago), **Peterson, Ross, Schloerb & Seidel** (Chicago).

**PRINCETON UNIVERSITY** Guggenheim Fellowship 1975-76, Aerospace & Mech. Sciences.

**HARVARD UNIVERSITY** S.M. Applied Physics 1975; biophysics (membrane) research.

**HARVARD COLLEGE** A.B. Physics & Philosophy *cum laude* 1975.

**BROOKLYN TECHNICAL HIGH SCHOOL** salutatorian 1970 (2d, class of 1500).

REPRESENTATIVE LITIGATION (italic side)

*Sensata Technology v. Danfoss* (PTAB) (*inter partes* review of equipment control patent)  
*Instrumentation Laboratory v. HemoSonics* (PTAB) (*inter partes* review of medical device patent)  
*Oncam Global, Inc. v. Oncam Inc.* (D. Mass.) (trademark infringement)  
*Google, Inc. v. Grandeye Ltd.* (N.D.N.Y., Fed. Cir.) (optics software patent infringement)  
*HBS Publications v. Institute for the Study of Coherence* (D. Mass.) (electronic library copyright)  
*Grandeye Ltd v. Sentry 360 Technologies* (N.D. Ill.) (optics software patents and trade secrets)  
*Paradigm BioDevices v. Viscogliosi Bros., LLC* (S.D.N.Y.) (distribution, fraudulent conveyance)  
*Biogen Idec, Inc. v. Xu* (Mass. Super.) (employment, trade secrets)  
*GPNE, Inc. v. Apple, Inc. et al.* (D. Hwa., N.D. Cal.) (communications patent infringement)  
*NetView Technologies Inc. v. Microsoft Corp.* (D. Mass.) (software patent infringement)  
*Nikon Metrology (Metris) v. Faro Technologies* (D. Mass.) (patent infringement and antitrust)  
*Stebbins-Duffy, Inc. v. Trumbull Campbell Assoc.* (Mass. Super. 2010) (manufacturers rep.)  
*In re DRAM Indirect Purchasers Class Action* (N.D. Cal., Mass. Super. 2009) (antitrust)  
*NewRiver v. Mobular Technologies* (D. Mass. 2009) (business method patent)  
*Kayat Trading Ltd. v. Genzyme Corp.* (D. Mass.) (international distribution of melatonin)  
*Technologies S.A. v. Cyrano, Inc.* (D. Mass. 2006) (international copyright and trademark)  
*Anvik Corp. v. Nikon* (S.D.N.Y. 2005) (microelectronic lithography patents)  
*Second Chance Armor v. First Choice Armor* (D. Mass. 2004) (body armor patent)  
*Cathcart v. EquipNet* (Cal. Super. 2003) (e-commerce contract action)  
*Ethos Technologies v. RealNetworks* (D. Mass. 2001) (network communication patent)  
*Dentsply R&D Corp. v. Pentrix Dental Products* (E.D. Pa. 1999) (denture mold patent)  
*Internet Chess Club v. Fanning* (Mass. Super. 1998) (state unfair competition case)  
*Gentri v. Paulk* (Fed. Cir. 1998) (leveling device patent contempt proceeding)  
*Rheology Ltd. v. Brookfield Engineering* (D. Mass. 1997) (viscosity meter patent-antitrust)  
*A/TComm v. Mark IV Industries* (D. Mass. 1997) (automatic toll payment transponder patents)  
*Sil-Med Inc. v. Dessel* (R.I. Super. 1996) (corporate control action)  
*Accurate Surgical Instruments v. Sil-Med, Inc.* (D. Mass. 1995) (catheter patent-antitrust)  
*Hoppe v. Baxter International* (D. Mass. 1995) (flow meter patent)  
*Top Producer v. Revelation Software* (D. Conn. 1994) (copyright and dealer termination)  
*Information Resources v. Test Marketing Group* (S.D. Ohio 1990, 1992, Fed. Cir. 1991, 1993)  
(cable television and market research patents)  
*Summagraphics v. CalComp* (Lockheed) (Conn. Super. 1992) (digitizer trade secrets)  
*Lockheed (Sanders) v. Summagraphics* (D.Mass.1990; D.Conn. 1992)(digitizer patents)  
*Hell Graphics v. Scitex Corp.* (N.D. Ill. 1989) (processor patent, antitrust)  
*Xeta v. Atex* (Kodak) (D. Mass. 1988, Fed. Cir. 1989) (keyboard patent-antitrust)  
*Investigation of Certain Cellular Radiotelephones* (U.S.I.T.C., N.D. Ill. 1988) (section 337 cellular telephone patent infringement investigation: *Motorola v. Novatel, Hynix*)  
*Fly-Away Travel v. American Airlines* (D. Mass. 1988) (trademark)  
*Digital Equipment Corp. v. Emulex Corp.* (D.N.H. 1986, 1987; Fed. Cir. 1986, 1987) (bus interface patent and trade secret action and antitrust)  
*Digital Equipment Corp. v. EMC Corp.* (D.Mass. 1986) (bus interface patent)  
*Class of Employees v. Hercules* (D. Mass, 1<sup>st</sup> Cir. 1984) (employment)  
*Bethlehem Steel v. Envirotech* (N.Y. Sup. 1984) (contract and environmental regulation)  
*Conoco v. Mobil* (S.D.N.Y., 2d Cir. 1981) (antitrust and securities)  
*Xerox Corp. v. IBM Corp.* (S.D.N.Y. 1976) (photocopier patents and trade secrets)

REPRESENTATIVE TEACHING

Adjunct Faculty, Boston University School of Law, *Intellectual Property Rights and Commerce in the Global "Cloud"*, 2016-present; Suffolk University Law School, *Intellectual Property Litigation, Counseling Technology-Leading Emerging Enterprises*, 1995-2013.

Panelist, 2007, 2012 Judicial Conference (U.S.D.C. Mass.), Intellectual Property, e-Discovery.

Chair/Panelist, Massachusetts Continuing Legal Education ("MCLE"), Intellectual Property and Software Licensing (2013-present); Data Security and Privacy (2009-present).

Chair/Panelist, American Bar Ass'n ("ABA"), Intellectual Property Section, *Defend Trade Secrets Act* (2017), Int'l Law Section, *Harmonization* (2018), *Trade Secrets in Cross-Border Commercial Transactions* (2017), Multiple Sections, *Trade Secrets in China* (2017), Business Section, *Cloud Contracts* (2016), Litigation Section, *PTO Litigation* (2014).

Organizer/Panelist, B.C. School of Law *UCC and IP Licensing/Exhaustion* (2017).

Panelist, N.E. School of Law *Selling Goods into Foreign Markets* (2016).

Panelist, N.E.U.L.J. *Symposium on Information and Data in the Era of Accessibility* (2015).

Panelist, N.E.J. Criminal and Civil Confinement *Symposium on IP Criminal Sanctions* (2015).

Panelist, Mass. Bar Ass'n ("MBA"), *IP Basics* (2005-16), *Life Cycle of a Business* (2012-16).

Panelist, Boston Bar Ass'n ("BBA"), "Trade Secrets and Non-Competes" (2009-17), "Digital Campus" (2005-06); "Financing Technology Enterprises" (2005-08), "Bankruptcy and Intellectual Property" (2012), PTAB Litigation (2014), USITC IP Enforcement (2014).

Panelist, Practising Law Institute, *Fundamentals of Data Security* (2017); *UCITA: A Broad Perspective* (2001); *4th Annual Intellectual Property Law Institute* (1998); *Structuring, Negotiating, and Implementing Strategic Alliances* (1997, 1998).

Panelist, American Intellectual Property Law Association ("AIPLA") Annual Meeting, Commercial Law Update (1998-2000), "Litigating in the Digital Decade" (2004).

Panelist, ALI-ABA: *The Emerged and Emerging New Uniform Commercial Code* (1997).

REPRESENTATIVE PUBLICATIONS

*E-Commerce and Communications* (Matthew Bender/Lexis-Nexis 2002-2009).

*International Computer Law* (Matthew Bender/Lexis-Nexis 2009-present).

*Law of the Internet Updates* (Matthew Bender/Lexis-Nexis 2009-present).

*Data Security and Privacy in Massachusetts* Editor and Chapter Author (MCLE 2015, 2017), winner, Ass'n for CLE 2016 Award for Outstanding Achievement.

*Sophisticated Software Licensing* (MCLE 2015).

"A Snapshot of Online Contracting Two Decades After *ProCD*," 73 *Bus. Lawyer* 267 (2017).

"The Defend Trade Secrets Act and Coexistence with Mass. Law" *Boston Bar J.*, Jan. 2017.

"DTSA: A Federal Tort of Unfair Competition in Aerial Reconnaissance, Broken Deals and Employment," 72 *Wash. & Lee L. Rev. Online* 341 (2015).

"The Defend Trade Secrets Act Exposes, but Little Benefits U.S. Businesses," *PTCJ* (2015).

"UCITA: A 1990's Vision of E-Commerce," 18 *John Marshall J. Computer Law* 323 (1999).

"UCC and Electronic Commerce," *Mass. Bar Ass'n Corporate Counsel Guide* (1999).

"Contracting in Cyberspace: The Triumph of Forms?" *Boston Bar J.*, May/June 1997.

"Intellectual Property Litigation – 1996," *Suffolk Univ. Advanced Legal Studies* (1996).

"Electronic Commerce Under the Uniform Commercial Code," 8 *The Best of MCLE J.* 55 (1996).

"Proposed UCC Article 2B: Transfer of Intellectual Property," presented at 1992 Annual Meeting of American Bar Ass'n, Section of Business Law, reprinted in Peter A. Alces and Harold F. See, *The Commercial Law of Intellectual Property* (1994).

BAR ACTIVITIES

United Nations Commission on International Trade Law, Working Group 6 (Secured Transactions), Security Interests in Intellectual Property, U.S. Delegate, 2009.  
Massachusetts Judicial Nominating Comm'n, 2003-05.  
U.S.D.C. for the District of Mass. Merit Review Panel for U.S.M.J. J. Boal, 2018.  
Massachusetts Superior Court, Special Master on Electronic Evidence, 2000-05.  
National Conference of Commissioners on Uniform State Laws ("NCCUSL")-ALI Drafting Committee, Uniform Commercial Code Article 2B – Licenses/Uniform Computer Information Transactions Act, 1995-2003; NCCUSL Standing Committee on Technology and Law, 2014-present; NCCUSL Drafting Committees, Electronic Transactions Act, 1997-2002; Implementation of United Nations Convention on Use of Electronic Communications in International Contracts, 2008-11; Electronic Legal Materials, 2009-11, Prevention of and Remedies for Human Trafficking, 2010-13; Fiduciary Access to Digital Assets, 2011-16, Employees and Students Online Privacy Protection Act, 2013-16; Tort Law Relating to Drones, 2017-present; NCCUSL-ABA Drafting Committee, Registered Agents, 2005-07; NCCUSL Study Committees, Data Breach Notification, 2017-present, Identity Management in Electronic Commerce, 2016-17, Bad Faith Patent Demand Letters, 2015-17, Search of Electronic Real Property Records, 2014-16, Payment Systems, 2006-08, Discovery of Electronic Evidence, 2004-05, Misuse of Genetic Information, 2003-04, Taxation of Electronic Commerce, 1997-99.  
ALI, Member Consultative Groups, Restatements of Consumer Contracts, 2013-present, Copyright Law, 2015-present, Employment Law, 2004-15; Principles, Software Contracts, 2004-07, Jurisdiction in Transnational IP Disputes, 2004-06, Data Privacy, 2013-present, Data Economy, 2018-present.  
ABA, Member Cybersecurity Legal Task Force, 2015-18; Intellectual Property Law Section, Chair, Specialized IP Division, 2018-present, Trade Secrets Committee, 2016-18, Special Committee 461 on Transfers of Goods Embodying Intellectual Property, 2001-03.  
MBA, Executive Management Board, 2008-11, 2015-present; House of Delegates, 2008-present; Business Law Section Council, 1992-2014, Chair, 2008-09; Dispute Resolution Section Council, 2016-present, *Massachusetts Law Review*, Board of Editors, 1991-98.  
BBA, Council, 1994-96; BBA Intellectual Property Law Section, Founder, 1991-95; Education Committee, 2006-11; Volunteer Lawyers Project, Director, 2006-10.  
Ass'n of the Bar of the City of New York, Committee on Nuclear Technology, Secr'y, 1982-85; Empirical Data in Legal Decision Making, 39 *Record* 49 (1983) (with U.S.D.J. Weinstein).  
Asian-American Law Ass'n of Massachusetts, Director, 1996-present.  
AIPLA, Special Committee on UCC2B, Chair, 1997-99.  
Copyright Society of the USA, Trustee, 2002-05.

MISCELLANEOUS

Completed Mass. Gen. Law c. 233 § 23C mediation training (2016).  
Institute of Electrical and Electronics Engineers, IP Committee, Voting Member, 2015-present, Artificial Intelligence and Autonomous Systems Policy Committee, 2017-present.  
National Ass'n of Asian-American Professionals – Boston, General Counsel, 2004-12.  
International Ass'n of Privacy Professionals, Certified Information Privacy Professional (2015).  
Licensing Executives Soc'y, e-Commerce, Chair, 2006-08, Boston Chapter, Chair 2012-18.  
Thomson- Reuters Super Lawyer 2004-06, 2013-18. America's Best Lawyers, Patents 2017, 2018.  
Martindale-Hubbell "AV"-rated since 1994.