



Joseph M. Manak, Esq.

COUNSEL

Alternative Dispute Resolution, Mediation, and Arbitration
Intellectual Property | IP Consulting | Litigation
Patents | Trademark

P: 212-784-6905 | F: 212-808-4155 | E: jmanak@sh-law.com



SCARINCI | HOLLENBECK
ATTORNEYS AT LAW

3 Park Avenue
15th Floor
New York, NY 10016

BIOGRAPHY

Joseph M. Manak, Esq. is a Patent and Intellectual Property attorney, litigator, and trial lawyer who concentrates his practice in patent prosecution, litigation, opinion work, licensing and other IP transactions, as well as cyber and privacy law, including GDPR, copyright, trade secret, trademark, trade dress, anti-counterfeiting, antitrust, employment law, non-compete agreement law, and unfair competition law.

He practices in the United States Patent and Trademark Office, numerous U.S. Federal Courts, the U.S. International Trade Commission, and has instructed foreign counsel on patent matters before courts and patent offices throughout Europe and Asia. Mr. Manak also specializes in Hatch-Waxman cases, appeals practice before the USPTO., and has significant expertise in patent-antitrust law and Digital Millennium Copyright takedowns.

Mr. Manak's patent and IP practice spans a very broad range of technologies and industries, such as software and algorithms, computer-implemented and Internet technologies, cyber and privacy law, including GDPR, pharmaceuticals and small molecules, genomics and proteomics, biometrics, drug metabolism, medical devices, medical testing, enzyme targets, financial products, electronic and mechanical devices, fibers, drug delivery systems, aerospace and defense, fashion and consumer products. He also handles anti-counterfeiting and domain name disputes in the U.S. and Asia. He has been registered to practice in the U.S.P.T.O. since 1988.

Mr. Manak also has an information technology, software, and biotechnology transactional practice, and negotiates and drafts licenses, distribution and service agreements, joint research and collaboration agreements, software development agreements, and other agreements relating to software and the biochemical sciences. Joe also advises clients with respect to open-source issues, and handles IP due diligence and other matters arising in mergers, acquisitions and financing.

Additionally, Mr. Manak supervises, prepares and prosecutes a wide variety of patent applications in such fields as biotechnology, software, chemistry, immunology, pharmaceuticals, new chemical entities, drug delivery and formulation systems, medical and analytical devices, and mechanical devices. He has been registered to practice before the U.S. Patent and Trademark Office since 1988.

Mr. Manak has a five-star AV Martindale Hubble rating and was recognized as a NY-Metro Super-Lawyer™ in 2014-2016. He has published and lectured extensively on intellectual property and antitrust issues.

BAR ADMISSIONS

- New York State
- United States Court of Appeals for the Federal Circuit
- United States District Courts:
 - Southern District of New York
 - Eastern District of New York
 - Western District of New York
- United States Patent and Trademark Office, June 1988 (Registration No. 33,013)

EDUCATION

- NEW YORK LAW SCHOOL
 - Juris Doctor, cum laude, 1986
 - Class Rank: Top 15%
 - Honors: Journal of International and Comparative Law
- MANHATTAN COLLEGE
 - Bachelor of Science, Chemistry, 1983
 - Honors:
 - Dean's List (1981 and 1982)

PUBLICATIONS

- St. Johns School of International Business (Guest Lecturer: Intellectual Property, 2012-2013)
- U.S Supreme Court Holds Human Gene Patent Claims Invalid (PORZIO ALERT, July 17, 2013)
- Program Co-Chair: Patent vs. Antitrust Law in the 21st Century (New York City Bar Association CLE Program, June 8, 2012 Paper and Lecture: Patent Misuse In Tying Cases: Princo And Beyond)
- False Patent Marking Claims Are Not Going Away (New Jersey Law Journal, 2010)
- Adhesive and Sealants Industry (ASI) Seminar Lecture (U.S. Patents: The Lowdown on What You Need To Know, 2006)
- Patent Law Basics for the Chemical Business (American Chemical Society, 2006)

- The Law of Written Description in Pharmaceutical and Biotechnology Patents, 23 Biotechnology Law Report 30, Number 1 (February 2004)
- The Hatch-Waxman Act Reform—How it Will Affect Branded Pharma Generics (Patent Life Cycle Management, Visiongain Group, 2004)
- U.S. Court of Appeals for the Sixth Circuit Finds Generic Drug Agreement Illegal Under Antitrust Laws (Greenberg Traurig Alert, December 6, 2003)
- Toward Consistency and Clarity in Patent Claim Construction: Markman, Hilton Davis, Southwall, and Vitronics (Amer. Bar Ass'n IPL Newsletter, Vol. 15, No. 2 Winter 1997)
- Decisions Key to Safe Licensing (Les Nouvelles, J.Lic. Exec. Soc. Vol. XXXI No. 1, March 1996)
- Confusion in the Law of Patent Infringement: The Federal Circuit's Decisions in Markman and Hilton Davis (BIOTECH Patent News, vol. 9 No. 10, October 1995)
- Federal Circuit Teletronics and Chartex Decisions Clarify Infringement Exemption For FDA Uses (BIOTECH Patent News, vol. 7, no. 9, September 1993)
- Licensing Executives Society (1992 Annual Meeting -- Boca Raton, Florida, Workshop Leader: Licensing and the Law of Tie-ins)
- Columbia University School of Law (1989-1990 Lecturer: Korean Legal Studies Program In International Trade)