

Nanotechnology

In the emerging sciences, bigger isn't always better. In fact, some of the most revolutionary breakthroughs are taking place at a level far too small for the eye to see.

Put simply, nanotechnology is any research that focuses on the building blocks at the near atomic level. Nanotech research is well underway in such fields as health care, the life sciences, aeronautics, electronics and energy.

But while nanotechnology offers nearly unlimited opportunities for scientific advancement, many long-standing legal challenges still apply. Womble Carlyle's Nanotechnology Team can provide you with both the experienced legal guidance and the specific knowledge of nanotech issues you need to succeed in this rapidly evolving marketplace.

Comprehensive Legal Solutions For Complex Technology

Perhaps the biggest legal need in the nanotech field is for patent and intellectual property protection. This need is likely to explode as nanotechnology becomes more commercially viable. Nanotechnology is still at its nascent stage, but scientists project that within the next 5 to 10 years, there will be many more practical consumer uses for nanotech, meaning companies and researchers will be fighting to establish patents. Those that already have established patents will have the jump on the competition.

Womble Carlyle has an extensive team of patent, trademark and copyright attorneys who can assist with patent applications and prosecution, as well as establishing trademarks and copyrights, protecting trade secrets and, when necessary, defending intellectual property in litigation.

In addition, the expected growth in nanotechnology likely will mean closer supervision by lawmakers. We have extensive experience in guiding businesses through state and federal regulatory compliance. With an office in Washington, D.C., and a strong Federal and State Government Affairs practice, we can help ensure that your concerns are heard in the decision-making process.

We also can help you maximize the tax benefits of your research. Federal and state tax incentives often are available for cutting-edge nanotech research and our team can assist you in securing those assets.

Our clients represent a wide range of nanotech interests and include universities, research facilities, start-up ventures and established businesses in such fields as pharmaceuticals, life sciences, petroleum, electronics, computer software and air and space technology.

One of our most recent projects involves preparing and filing multiple U.S. and international patent applications for a leading aerospace manufacturer on use of carbon nanotubes in complex composite structures. These applications, combined with an intensive state-of-the-art search, positions the company well as commercial applications continue to evolve.

Preventing Mass Tort Litigation

As in any emerging field, the science of nanotechnology often outpaces the law. Actions that seem perfectly reasonable today may trigger lawsuits years or even decades down the road—the asbestos industry is the textbook case study on what to do and what not to do.

The good news is that, with proper guidance, nanotechnology companies can learn from the asbestos example and take cost-effective steps to prevent future mass tort litigation. At Womble Carlyle, we access our experience managing and litigating large multidistrict litigation (MDL) asbestos cases for national companies to advise nanotechnology businesses on preventative measures, such as warnings, documentation and testing procedures. In this way, we help ensure the business success of our nanotechnology clients.

Our Nanotech Team

Several of our attorneys have scientific degrees and backgrounds in academia and industry in addition to their legal experience. Team members include:

A respected patent attorney with more than 20 years of experience, **Jack Hicks** also holds a master's degree in mechanical engineering. He has extensive experience representing clients with patent matters relating to emerging technologies.

Mark Jenkins is a registered patent attorney practicing in the chemical and biotechnological arts.

Cy Johnson has more than 20 years of experience in structuring start-up businesses and raising capital through private offerings.

Mike Sullivan helps companies avoid nanotechnology-related mass tort litigation.

Contact Us

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