

# WATKINS

## LAW & ADVOCACY, PLLC

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## SETH A. WATKINS, PH.D.

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### PRACTICE AREAS

- General litigation, including in the federal and state courts
- Appellate litigation, including in the federal courts of appeals
- Intellectual property litigation and counseling, including complex matters spanning patent, inventorship, trade secret, copyright, trademark, licensing, and antitrust laws
- Unfair competition litigation, including Section 337 investigations before the U.S. International Trade Commission (ITC)
- Administrative law matters, including litigation concerning federal agency rulemaking
- Freedom of Information Act (FOIA) litigation
- Privacy law
- Corporate investigations
- Employment law, representing both employers and employees
- Patent Office matters, including prosecution and post-grant proceedings
- Transactional matters, including contract preparation and negotiation, federal government contract matters
- Veterans' benefits, including matters before the Board of Veterans Appeals (BVA) and U.S. Court of Appeals for Veterans Claims (CAVC)

### EDUCATION

Duke Law School, J.D. (1999)  
Duke University, Ph.D. (1996)  
Duke University, M.S. (1993)  
Duke University, B.S.E. (1992)

### ADMISSIONS & QUALIFICATIONS

Virginia (1999)  
District of Columbia (2000)  
Registered to practice before the United States Patent & Trademark Office (USPTO)  
Accredited to practice before the United States Department of Veterans Affairs (VA)  
Supreme Court of the United States  
U.S. Court of Appeals for the D.C. Circuit  
U.S. Court of Appeals for the Federal Circuit  
U.S. Court of Appeals for the Third Circuit  
U.S. Court of Appeals for the Fourth Circuit  
U.S. Court of Appeals for Veterans Claims  
U.S. District Court for the District of Columbia  
U.S. District Court for the Eastern District of Virginia  
U.S. Court of International Trade  
District of Columbia Court of Appeals  
Supreme Court of Virginia

## ACADEMIC APPOINTMENTS

*Adjunct Associate Professor of the Practice*, Master of Engineering Management Program, Pratt School of Engineering, Duke University, January 2011-present

*Adjunct Professor* (previously *Adjunct Assistant Professor*; *Visiting Assistant Professor*), Department of Mechanical Engineering and Materials Science, Pratt School of Engineering, Duke University, 1997-2017

*Lecturer*, The Columbus School of Law at The Catholic University of America, 2007-2011 & 2018-present

## SERVICE & ACADEMIC RECOGNITIONS

Engineering Distinguished Service Award (2015) from the Engineering Alumni Association of Duke University's Pratt School of Engineering

Charles A. Dukes Award for Outstanding Volunteer Service (2002) from Duke University

Student Service Award (1992) from Duke University School of Engineering

All-USA Academic First Team (1988) awarded by *USA Today*

## BIO

**Seth A. Watkins, Ph.D.** represents clients concerning a diverse array of issues before the courts and administrative agencies, in transactional and counseling matters, and in other considerations that lend themselves to legal advice and advocacy. His law practice has included bench and jury trials, appellate briefings and arguments, and high-stakes advocacy from the perspectives of both small and large clients. He represents plaintiffs, defendants, intervenors, and *amicus* parties, handling matters of a private, sensitive nature as well as those subject to the public's scrutiny.

Seth is a versatile attorney who enjoys a serious challenge. He seeks creative approaches and solutions to legal issues, being equally comfortable in roles as a "bulldog" or quiet advocate and as lead counsel or co-counsel.

Among Seth's representations, he has: litigated technology cases with billions of dollars and thousands of jobs on the line; filed actions involving unfair trade acts; asserted claims of unfair competition and false advertising; fought issues of executive privilege asserted on behalf of the President all the way up to the United States Supreme Court; conducted internal investigations of alleged wrongdoing in organizational settings; advocated regulatory and policy changes before federal agencies; sought to vindicate clients' rights with respect to Constitutional violations in the application of certain laws and regulations affecting veterans; prosecuted hundreds of patent matters at the U.S. Patent & Trademark Office; handled federal government contract matters including End User Licensing Agreement preparation; defended a workers compensation matter with millions of dollars in damages asserted; represented employers and former employees in wrongful termination matters; represented an Asian foreign government's embassy in the United States, and the country's monarch, in a matter before the U.S. Patent & Trademark Office; represented a major foreign government filing as *amicus curiae* in an appellate matter; represented a group of world-class scientists in a formerly Communist, Eastern European country who sought to apply capitalism to their inventions; and even led a client's acquisition of a hydroelectric facility licensed by the Federal Energy Regulatory Commission (FERC). Seth is well-traveled, internationally, due to his work on behalf of multi-national corporations.

Seth has handled a broad range of technology and intellectual property matters in litigation, mediation, and arbitration concerning such technologies as: WiFi and other wireless technologies; telephony technologies including Voice over Internet Protocol (VoIP)/Internet telephony; hard disk drives; printed circuit boards; light emitting diodes; liquid crystals; hybrid electric vehicle batteries; wind turbines; chemicals for crops, ornamentals, and turfgrass; pharmaceuticals; medical devices; software; personal care products; metal cutting equipment; wastewater treatment; and food technology. He also served as the lead technical attorney on behalf of a major semiconductor product packaging and test services provider in an arbitration concerning failures of memory products for mobile phones due to alleged design and manufacturing defects.

Prior to forming his own firm, Seth practiced in a large general practice firm as well as boutique intellectual property and international trade firms.

Seth has a particular interest in “open government” and pursues disclosure by state and federal authorities on behalf of non-profit organizations, the media, individuals, and others who can benefit from Freedom of Information Act representation. He maintains an active federal court practice litigating against the federal government.

Seth has a Ph.D. from Duke University where his coursework and research focused on thin film science concerning semiconductors, ceramics, and superconductors. As an undergraduate at Duke, Seth was a double major in mechanical engineering and materials science as well as public policy.

Since 1997, Seth has been a member of Duke’s adjunct engineering faculty. He currently serves as an Adjunct Associate Professor of the Practice in the Master of Engineering Management Program (MEMP). During the spring semester, he co-teaches the MEMP’s required Master’s level course “Intellectual Property, Business Law, and Entrepreneurship” with a class size varying between about 160 and 200 students each year. He also guest lectures from year to year in the engineering school’s courses in “Mechanical Systems Design” and “Energy and Environment Design.” Seth held an appointment, most recently as Adjunct Professor, in the Department of Mechanical Engineering & Materials Science, from 1997-2017. As an alumnus, he served on the Board of Visitors of the Pratt School of Engineering at Duke from 2008-2016.

Seth also teaches intellectual property law courses (from 2007-2011 and 2018-present) at The Catholic University of America, Columbus School of Law. Recent courses include: Patent Law (scheduled for spring semester 2020); the Intellectual Property Capstone course (2019) focused on IP litigation; and Intellectual Property Transactions (2018). Seth also previously taught Advanced Patent Law, Patent Law, Introduction to Intellectual Property Law, and Directed Research.

Seth has a substantial *pro bono* practice. His recent representations involve World War II veterans of Filipino descent, Vietnam and Operation Iraqi Freedom veterans, and non-profit efforts in the wounded warrior community. In previous work, Seth represented a military death-sentenced individual in district court and appellate litigation including two petitions for *certiorari* to the Supreme Court and an argument before the D.C. Circuit. Other *pro bono* advocacy has involved immigration law and policy issues, landlord-tenant matters, and election law issues.