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Mr. Smith's practice includes litigation and counseling in patent, trademark, copyright, trade secret and unfair competition matters. Mr. Smith has represented a broad range of high-technology, corporate, software, and traditional brick-and-mortar businesses in technology, publishing, multi-media, video game and consumer product businesses, and is a frequent speaker and author on Internet and intellectual property subjects. In addition to traditional IP issues, he has specialized in Internet, gray market and anti-counterfeiting subjects, including ex parte restraining orders and asset freezes.

Mr. Smith He is peer rated AV® by Martindale-Hubbell and has been named multiple times by the *California Super Lawyers*® magazine in the area of Intellectual Property. He was also recognized by the prestigious ranking company Chambers and Partners in its 2010 edition of Chambers USA in Intellectual Property: Copyright & Trade Secret.

Prior to joining Ropers Majeski Kohn & Bentley, Mr. Smith was a partner at both Sheppard Mullin and for more than 25 years at an intellectual property boutique firm, where he specialized in the full range of intellectual property matters in trademark, patent, unfair competition and copyright law. Prior to moving to California, he served as a law clerk to Judge Giles S. Rich, Associate Judge, United States Court of Customs and Patent Appeals in Washington, D.C., 1972-1974 (Predecessor to the Court of Appeals for the Federal Circuit). From 1969-1972 he was a Patent Attorney for the United States Atomic Energy Commission in Washington, D.C.

Practice Areas

- ▣ Intellectual Property
- ▣ Patent Prosecution, Licensing and Litigation
- ▣ International
- ▣ Corporate Transactions
- ▣ Business And Commercial Litigation

Education

- ▣ Columbia University School of Law, 1969 J.D.
Harlan Fiske Stone Scholar
- ▣ Columbia College, 1965 B.A., Physical Sciences

- Columbia University, 1966 B.S., Mechanical Engineering
- George Washington University Law School, 1973 L.L.M., Patent and Trade Regulation

Court Admissions

- California
- US Patent and Trademark Office

Memberships & Associations

- Advisory Board of the Patent, Trademark and Copyright Journal of the Bureau of National Affairs
- American Bar Association, PTC Section, Chairman Trademark and Trade Name, and Trade Secret Committee and, Trademark Office Affairs Committees, PTC Section delegate to RICO Committee, Chair of Div. II (Trademarks) and Chair of Div. IV (IP Related Legal Issues)
- Board and Treasurer, National Council of Intellectual Property Law Associations
- Board of Directors American Intellectual Property Law Association, Trademark and Trade Name Committee Chairman, Licensing Committee Chairman, etc.
- Current Officer and Executive Committee Member, State Bar of California, International Law Section
- Delegate, California State Bar Convention
- Executive Committee Member, State Bar of California, Patent and Trademark Section
- Panel of Neutrals, International Trademark Association
- San Francisco Intellectual Property Law Association (SFIPLA)
- Trustee, United States Copyright Society
- U.S. Dept. of Commerce Public Advisory Committee on Trademark Office Affairs

Publications

- Author, APPLE'S REQUIRING THAT ITS SOFTWARE BE RUN ONLY ON APPLE COMPUTERS IS NOT COPYRIGHT MISUSE. *Apple Inc. v. Psystar Corporation*, 658 F.3d 1150 (9th Cir.2011)., *State Bar of California, New Matter, volume 37, number 1, 3/1/2012*
- Author, MUSIC AND VIDEOSHARING COMPANY HELD NOT LIABLE FOR COPYRIGHT INFRINGEMENT AS INSULATED BY THE DIGITAL MILLENNIUM COPYRIGHT ACT. *UMG Recordings, Inc. v. Shelter Capital Partners LLC*, ___ F.3d ___, 101 U.S.P.Q.2d 1001, 2011 WL 6357788 (9th Cir. December 20, 2011)., *State Bar of California, New Matter, volume 37, number 1, 3/1/2012*
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- Author, America Invents Act makes it cheaper and easier to invalidate patents, *San Francisco Daily Journal*, 9/21/2011
- Author, Ninth Circuit Report: *Paris Hilton v. Hallmark Cards*, *State Bar of California, New Matter, volume 35, number 1, March 2010*
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- Author, Ninth Circuit Report: *Raymond Edwards II v. Arthur Andersen LLP*, *State Bar of California, New Matter, volume 34, number 1, April 2009*

- Author, Ninth Circuit Report: *ESS Entertainment 2000, Inc. d/b/a Playpen v. Rock Star Video, Inc. et al.*, *State Bar of California, New Matter, volume 33, number 4*, November 2008
- Author, Ninth Circuit Report: *Leadsinger, Inc. v. BMG Music Publishing, ET Al.*, *State Bar of California, New Matter, Volume 33, Number 1*, November 1 2008
- Author, Ninth Circuit Report: *Omega S.A., v. Costco Wholesale Corporation*, *State Bar of California, New Matter, volume 33, number 4*, September 3 2008
- Author, Ninth Circuit Report: *Krinsky v. Doe 6*, *State Bar of California*, February 6 2008
- Author, Ninth Circuit Report: *K and N Engineering, Inc. v. Bulat*, *State Bar of California*, December 18 2007
- Author, The Supreme Court Opens the Door to More Patent Challenges,, *State Bar of California, New Matter, volume 32, number 1*, July 2 2007
- Author, Ninth Circuit Report: *Fox v. Dastar Redux*, *State Bar of California, New Matter, volume 31, number 2*, November 28 2006
- Author, Ninth Circuit Report: *Altera Corp. v. Clear Logic, Inc.*, *State Bar of California, New Matter, volume 31, number 3*, November 28 2006
- Author, Ninth Circuit Report: *Au-Tomotive Gold, Inc. v. Volkswagen of America, Inc.*, *State Bar of California, New Matter, volume 31, number 3*, November 28 2006

News

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- Congress approves patent overhaul bill, *Reuters*, 9/8/2011
- ROPERS MAJESKI KOHN & BENTLEY'S RICHARD CHARNLEY AND NEIL SMITH EARN DISTINCTION IN CHAMBERS USA'S 2011 EDITION, 7/28/2011
- Trademark Holders Eye New Domains, *The Recorder*, 7/25/2011
- PTO Budget Cuts Mean No New Silicon Valley Office, *The Recorder*, 4/26/2011
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- The Gap Is Not Friends with New Social Media Site Gapnote, *Legal Pad*, 10/1/2010
- On The Move, *San Francisco Daily Journal*, 8/9/2010
- Sheppard, Mullin Loses Litigator Neil Smith to Ropers Majeski, *The Recorder*, 7/20/2010