



## Elaine Lee

Registered Patent Attorney • Attorney

### let's connect

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San Francisco

Languages: Mandarin Chinese • German

### education

- J.D., University of Wisconsin Law School
- B.S., Cornell University, Computer Science & Engineering

### expertise

Patent Prosecution • Patent Analysis & Opinions • Technology Transactions • Patent Due Diligence • International Practice • China Practice

Elaine has 20+ years of experience in many facets of high-technology law. Having worked as a patent and intellectual property attorney for major technology companies as well as major international law firms specializing in intellectual property and patent law, Elaine has experience in handling:

Complex Technology Transactions, including drafting and negotiating inbound software license agreements, outbound software license agreements, joint development agreements, alliance agreements, master service agreements, patent license agreements, standards participation agreements, software-as-a-service agreements, partner agreements, end user license agreements, copyright agreements, marketing agreements, and public cloud customer agreements.

Data Privacy and Security, including advising clients on consumer privacy laws and data security matters, developing compliant website and ecommerce terms of service, and counseling clients regarding behavioral advertising, personalized content, web analytics, retargeting, online tracking technologies, and using location-based data. Other work includes helping clients design and strengthen data security policies and practices with a holistic approach to minimize legal and operational risk.

Open Source Product Counseling and Compliance, including counseling large technology companies on the use of products containing open source software and contributions to open source community projects, as well as developing and delivering training to senior technical executives, senior managers, and product teams on open source license compliance issues.

Performing due diligence in mergers and acquisitions (M&A) transactions, including legal and technical review and analysis of inbound and outbound open source software products to ensure compliance with open source license requirements, as well as intellectual property due diligence including review of patent, copyright and trademark assets and license agreements related to such assets.

Preparing and prosecuting patent applications, with emphasis on the software and electronic arts, bioinformatics, and machine learning/artificial intelligence. Technologies include inventions dealing with cloud computing, mobile devices, computer software and hardware, communication network software and hardware, medical devices and healthcare applications, biological analysis instruments and technologies, LiDAR and autonomous driving technologies, Internet and e-commerce search technologies, object-oriented application software, microprocessor design, digital and analog circuitry, ergonomic computer devices, and office and light industrial automation equipment.

Managing U.S. and international patent portfolio development for diverse high technology companies, including patents related to electronic design automation software engineering, processor design, programmable logic device and field programmable gate array architectures, semiconductor test and packaging engineering, Java and web development infrastructure software for web services, mobile devices and applications, wireless telecommunications technologies and applications and smart card security applications. Elaine also has experience directing intellectual property asset management processes such as patent committees and IP automation software workflows.

Intellectual Property Counseling, including handling escalations and advising executives and product teams on patent, copyright, and open source litigation and pre-litigation matters.

Formulating pre-litigation and litigation strategies for third-party patent matters, including identifying licensees, drafting claim charts, preparing invalidity and infringement analyses, and participating in negotiation discussions.

## my focus

Artificial Intelligence	Biotechnology	Computers & Databases	Consumer Goods & Services
Copyright Registration	Data Privacy & Security	Electric Systems	Financial Services & eCommerce
Health Care	intellectual-property-licensing	intellectual-property-portfolio-management	Life Sciences
Medical Devices	Networking & Wireless Technology	Optical Technology	Outdoor Recreation & Sporting Goods
patent-opinion-of-counsel	Patent Prosecution	post-grant-proceedings-before-the-uspto	Semiconductor
Software	Telecommunications	Trademark Prosecution	

## professional admissions & associations

- California State Bar
- Illinois State Bar
- State Bar of Wisconsin
- United States Patent and Trademark Office

## publications & presentations

### Presentations

- "What Every IP Attorney Should Know About Open Source Software," IP Chat Channel webinar panel, Intellectual Property Owners Association, July 31, 2014
- "International Prosecution: Strategies and Insights from the Inside", Kilpatrick Stockton International Patent Strategy Seminar, Atlanta, GA, September 9, 2003