

Barley Snyder Helps ABA Win Important Federal Court Case

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For Immediate Release

Lancaster, Pa. - Attorneys from Barley Snyder were instrumental in authoring an American Bar Association amicus brief filed in a U.S. Court of Appeals for the Federal Circuit (CAFC) patent case that will ensure "access to justice," a core principle of the ABA.

Partners [Joshua Schwartz](#) and [Salvatore Anastasi](#) combined with Chicago attorneys to write the amicus brief for the ABA in [Nantkwest, Inc. v. Matal](#), 2016-1794, Federal Circuit. The brief was quoted by the panel in reversing a previous decision that allowed for the U.S. Patent and Trademark Office to collect attorney fees in certain appeals to the CAFC. The CAFC handles appeals cases that come from the patent and trademark office.

The office could appeal the July 27 decision, which could send the case to the U.S. Supreme Court. Schwartz and Anastasi prepared the brief in early 2018 on behalf of the ABA.

Anastasi, the chair of Barley Snyder's Intellectual Property Practice Group, is also involved with the ABA Intellectual Property Law Section and has worked with the ABA in advancing the interests of stakeholders in intellectual property systems around the globe. This decision removes the hurdle of having to pay the USPTO's attorney fees on appeal to a district court, Anastasi said.

"This is a win for access to justice," he said. "It was the theme of our brief and a core principle of the ABA. An award of attorney fees would simply serve as a deterrent to patent applicants who otherwise have the right of appeal under the statute."

About Barley Snyder

Barley Snyder is a law firm based in central Pennsylvania with more than 90 attorneys practicing from offices located in Lancaster, York, Reading, Harrisburg, Malvern, Hanover and Gettysburg, Pa., and Hunt Valley, Md. The firm serves businesses, individuals and organizations in all major areas of civil law including: business, employment, immigration, employee benefits, finance & creditors' rights, intellectual property, litigation, estate planning and administration, real estate, tax, construction, environment and energy, health care, education, municipal authority, and food and agribusiness. www.barley.com | [@BarleySnyder](#)

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