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Patent Practice & Policy in the Pacific Rim

Thomas Traian Moga

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Highlights

New features and recent developments in this 2018-2 release include:

Revised Chapter 18 (Laws and Regulations of the Republic of South Korea)

§18:1 – Enforcement Decree of the Patent Act, as amended

§18:2 – The Patent Law, as amended

§18:5 – Patent Examination Guidelines, December 2017

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THOMAS TRAIAN MOGA

Volume 1



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About the Author

Thomas T. Moga practices in the Dearborn Michigan and Washington DC offices of LeClairRyan, where he focuses on intellectual property and international business transactions. His experience in the arena of international intellectual property includes the development of domestic and foreign patent portfolios, the acquisition of registrations for trademarks and copyrights, licensing, litigation, dispute resolution and mediation, and policy development. Mr. Moga is an experienced patent prosecutor in the mechanical, chemical, biochemical and pharmaceutical arts and has been qualified and has testified as an expert witness in patent disputes.

In addition to his wide array of intellectual property work, Mr. Moga manages patent enforcement and anti-counterfeiting actions in Asia, including overseeing initial counterfeit product investigation, selecting and working with local investigators, selecting and working with local counsel, preparing administrative and judicial documents, and participating in raids. Mr. Moga also researched and prepared a section on IP laws and practice for country reports (China, South Korea, India) for a U.S. corporate client's submission to the Office of the U.S. Trade Representative as part of annual Sections 301 and 306 reviews. His China work also included assisting in the preparation of a report on counterfeit IP for the U.S.-China Commission.

Mr. Moga provided a pharmaceutical client with a review and analysis of rules and practice on data protection related to pharmaceuticals in Asian countries, most particularly China. He also had primary responsibility for the preparation of a white paper on the pharmaceutical market in China for a multinational drug company. In addition to IP-related sections on China's compliance with the TRIPS Agreement, data protection, patent linking, compulsory licensing and enforcement, the paper also included discussions of China's export controls, tariffs, drug regulation and distribution, healthcare, AIDS crisis, and pharmaceutical market. Mr. Moga also prepared a white paper on China's establishment of IP aid centers that examined practices and policies related to local funding for patent litigation.

A frequent speaker on the TRIPS Agreement of the WTO and on global patent and trademark portfolio development and enforcement, Mr. Moga organized and participated in several intellectual property delegations to Asia, both governmental and non-governmental. He represented the American Intellectual Property Law Association at several Geneva meetings of the WIPO Advisory Committee on

Enforcement. He was also invited by Chief Judge Randall R. Rader of the U.S. Court of Appeals for the Federal Circuit to a recent meeting held in Washington, D.C., to discuss developments in innovation and intellectual property policy in China with representatives from the Congressional Executive Commission on China, U.S. Chamber of Commerce and U.S. Patent and Trademark Office.

Mr. Moga has been involved in intellectual property training programs both at home and abroad. He spent the first half of 1997 as a Fulbright Scholar in China where he taught patent law at Jilin University and acted as a foreign advisor to China's State Intellectual Property Office (SIPO). He currently serves on the board of directors for the Fulbright Academy of Science & Technology, an independent organization that seeks to foster collaboration between former Fulbright scholars and their institutions in science, technology and business. As an extension of his work with SIPO, he is currently the reviewer of the English-language version of the Commissioner's Annual Report. In 1990, Mr. Moga was a visiting foreign expert in law at Xiamen University, China. He also worked as a foreign legal expert for a patent and trademark office in Taipei in 1983-1984.

Mr. Moga is admitted to practice in the District of Columbia, Illinois, Iowa, and Michigan and is admitted to practice before the U.S. Patent and Trademark Office and the U.S. Supreme Court.

Dedication

This work is dedicated with love and appreciation to my wife, Debbie, for her unwavering support and for her belief that dreams are things to be realized,

to my parents, Anna and Traian, for having faith in all forms of education and for generously giving of the time needed to nurture a family

and

to the memory of my grandparents, Pavel & Raveca Moga and Ionita & Cristina Sakula, courageous immigrants who first taught me to look beyond my own backyard to a world filled with possibilities.



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