

Brian E. Reese, PhD, MBA

Counsel

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Dr. Brian Reese is a member of Choate's Life Sciences and Intellectual Property groups. He brings a strong knowledge of business and strategy to his practice. In addition to strategic intellectual property counsel, he also assists and advises his clients in the development of strong exclusivity propositions, including patent or other protection for their important assets, as well as in negotiating and closing transactions to monetize those assets. As a former stock analyst, he brings a unique perspective to his practice and understands many of the business realities that his clients face, as well as how intellectual property can help them achieve their goals.

Prior to joining Choate, Dr. Reese was a patent associate at a boutique intellectual property law firm in New York and prior to law school, he worked as a stock analyst covering the life sciences sector at an institutional investment firm outside of Philadelphia.

Dr. Reese has been named a *Massachusetts Super Lawyers Rising Star*.

EDUCATION

Albany Law School
JD, 2009, *magna cum laude*

Pennsylvania State University
PhD, 2005, *Integrative
Biosciences: Neuroscience*
MBA, 2003

State University of New York
BS, 2000

PRACTICE FOCUS

Intellectual Property Protection

Development of exclusivity propositions including strategic management of intellectual property. Exclusivity propositions can and generally should include a variety of forms of intellectual property including patents, trade secrets, and trademarks and Brian has experience with each of these as well as in contractually-based methods of achieving exclusivity for clients. Brian is also skilled in complex application drafting and prosecution, particularly in the areas of biocompatible materials, biotechnology and nanotechnology.

Intellectual Property Due Diligence

Represents early stage clients who are preparing for or in a due diligence process with an eye toward making a client's portfolio(s) "diligence friendly" and maximizing value of intrinsic client resources. For larger clients looking to acquire an asset or company, Brian has extensive experience in assessing the quality of the intellectual property and, critically, the business value therein. Components of these services often include assessment of patent scope and quality, patentability and/or patent validity considerations and freedom to operate, both in the US and internationally. Brian also has significant experience in providing clients with evolving patent landscape analyses and non-infringement and invalidity opinions.

Intellectual Property Transactions

Represents biotech and other life sciences companies in structuring and negotiating strategic transactions including licensing, collaborations, and other life sciences-related transactions such as research and strategic supply agreements

ADMISSIONS

Massachusetts

New York

U.S. Patent & Trademark
Office

U.S. Court of Appeals,
Second Circuit

U.S. District Court, Northern
District of New York

PRACTICE AREAS

Intellectual Property

Life Sciences

IP Litigation

Business & Technology

REPRESENTATIVE ENGAGEMENTS

- Advises university and corporate clients of all sizes on intellectual property portfolio strategy, including patent strategy and portfolio management.
- Provided intellectual property support to major multinational pharmaceutical company in negotiating collaborations for the development and commercialization of cell therapy products.
- Conducts ongoing landscape and freedom to operate analyses and strategic counseling for life sciences companies as a component of product life cycle management efforts.
- Represents start-up and small-cap companies developing therapeutic, diagnostic, and/or analytic technologies, including by helping to craft intellectual property strategies, and to negotiate with investors and partners throughout the companies' lifecycle.
- Represents investor and strategic partner clients in assessment of acquisition or collaboration targets in the biologic and pharmaceutical therapeutic space.

PUBLICATIONS AND PRESENTATIONS

- "IP and Preparing for Due Diligence", 15th Annual Conference "The Road from Nanomedicine to Precision Medicine", BAWA Biotechnology Consulting, September 2017.
- "Genetic Engineering and Crops: The CRISPR Conundrum," *co-author, Genetic Engineering & Biotechnology News*, January 2017.
- "American Bar Association Session on Science and Technology Law," *moderator*, BAWA Biotechnology Consulting, LLC's Current Issues in Medicine, Biotech and Pharma, August 2015.
- "An Intellectual Property Primer for Nanomedical Researchers and Engineers," *chapter author and assistant editor, Handbook of Clinical Nanomedicine: Law, Business, Regulation, Safety and Risk*, April 2015.
- "American Bar Association Session on Science and Technology Law," *moderator*, BAWA Biotechnology Consulting, LLC's Current Issues in Medicine, Biotech and Pharma, September 2014.
- "Why Patent Quality Matters," *author, Patent Quality Connection*, 2011.
- "Using fMRI as a Lie-Detector – Are We Lying to Ourselves?" *author, Albany Law Journal of Science and Technology*, 2009.
- "Memory-altering Drugs: Shifting the Paradigm of Informed Consent," *co-author, American Journal of Bioethics*, 2007.

- “Elucidation of Stannin Function Using Microarray Analysis: Implications for Cell Cycle Control,” co-author, *Gene Expression*, 2006.
- “Functional and Structural Properties of Stannin: Roles in Cellular Growth, Selective Toxicity, and Mitochondrial Responses to Injury,” co-author, *Journal of Cellular Biochemistry*, 2006.
- “Protein Kinase C Epsilon Regulates Tumor Necrosis Factor-Alpha-Induced Stannin Gene Expression,” co-author, *Journal of Pharmacology and Experimental Therapeutics*, 2005.
- “The Protein Stannin Binds 14-3-3zeta and Modulates Mitogen-Activated protein Kinase Signaling,” co-author, *Brain Research Molecular Brain Research*, 2005.
- “Stannin, a Protein That Localizes to Mitochondria, Sensitizes NIH-3T3 Cells to Trimethyltin and Dimethyltin Toxicity,” co-author, *Molecular Pharmacology*, 2004.

PROFESSIONAL AND COMMUNITY INVOLVEMENT

Dr. Reese has been appointed Co-Chair of the Nanotechnology Committee of the American Bar Association’s Section of Science & Technology Law, and has served as either the vice chair or co-chair of the committee since 2013.

Brian also makes it a point to serve the community and has been active for years in providing pro bono services to the Center for Women and Enterprise (Boston, MA) and has recently also begun serving the Junior League of Boston.