

RYAN B. CHIRNOMAS
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**Biography**

Mr. Chirnomas focuses his practice on patent prosecution before the U.S. Patent and Trademark Office, specializing in biotechnology, pharmaceutical and mechanical engineering inventions. He uses effective communication and problem solving skills in order to help clients obtain strong patent protection in an efficient manner. He is also experienced in front of the Board of Patent Appeals and Interferences, having successfully persuaded the Board to reverse rejections in numerous Oral Hearings. Mr. Chirnomas also provides clients with guidance they need by preparing freedom-to-operate and non-infringement opinions. He also writes and lectures on recent developments in patent law, with a particular focus on biotechnology.

Prior to joining the firm, Mr. Chirnomas worked in the Glushko-Samuelson Intellectual Property Law Clinic at the Washington College of Law, American University, where he applied intellectual property law to the public interest. Before pursuing a career in intellectual property, Mr. Chirnomas was a researcher at the University of Arizona's Laboratory of Mammary Gland Biology, where he investigated the influence of environmental toxins on the expression of the BRCA1 gene, which is a DNA repair gene tied to breast and ovarian cancers.

Outside of the office, Mr. Chirnomas's hobbies and interests include historic automobiles, cycling and music.

Related Services

- › Patent Prosecution
- › Designs
- › Legal Opinions and Counseling
- › Training and Education

Related Technologies

- › Chemistry, Chemical Engineering and Materials Science

- › Life Sciences
- › Mechanical Engineering

Education

- › B.S., Molecular and Cellular Biology, 2000, University of Arizona
cum laude
- › J.D., 2005, American University, Washington College of Law
- › M.S., Biotechnology, 2013, Johns Hopkins University

Admissions

- › U.S. Patent and Trademark Office, 2005
- › Virginia Bar, 2005
- › District of Columbia Bar, 2007

Publications

- › In widely watched biotech case, skepticism by others in the art and other factors give rise to a lack of a reasonable expectation of success, and thus a lack of interference-in-fact , 12.17.2018
- › Post-filing clarification of an ambiguous feature in a pre-filing reference is not sufficient to establish inherent properties of the feature in the earlier publication, 7.31.2018
- › CAFC relies on extrinsic evidence to define a claim term and to demonstrate inherency., 2.23.2018
- › Drug patent survives invalidity challenge based on lack of teaching or suggestion in the art, teaching away, unexpected results and long-felt need, 8.15.2017
- › Derivation not demonstrated by conception of an idea different from claimed invention, even where the idea would make the claimed invention obvious , 4.5.2017
- › When inventors are wrong, a certificate of correction can set things right—if the specification is robust, 1.7.2016
- › Presenting Extrinsic Evidence At District Court Does Not Guarantee Review For Clear Error On Appeal, 6.11.2015
- › CAFC Redefines the Singular Phrase “a patient” as a Plural Patient Population, 11.18.2014
- › "Double Trouble:The Expanding Application of The Judicial Doctrine of Obviousness-type Double Patenting", AIPLA Biotech Buzz, Biotech Patent Education Subcommittee, June 2014., 6.30.2014
- › "CAFC holds 'Dolly the Sheep' Claims Ineligible, But Leaves Door Open To Claims Reciting Clones 'Markedly Different' From Nature" CAFC Alert, May 21, 2014, 5.21.2014
- › "Beware Of Relying On A Single Example, Since It May Limit Claim Scope", CAFC Alert, October 17, 2013, 10.17.2013
- › "CAFC Draws a Line in the Sand as to Adding 'Boundary' Lines; PTO Recants Earlier Design Practice", CAFC Alert, April 3, 2013, 4.3.2013
- › "Saved by Therasense: Deliberate decision to withhold references not found where art

- was cited in foreign counterpart and domestic co-pending applications", CAFC Alert, October 10, 2012, 10.10.2012
- > "Fractured CAFC panel again affirms patent eligibility of isolated DNA, and applies Mayo", CAFC Alert, August 21, 2012, 8.16.2012
 - > "Federal Circuit Panel Rehears ACLU, Myriad Gene Patent Case", IP Watchdog, July 22, 2012, 7.22.2012
 - > "Summary of Oral Arguments in AMP v. USPTO Remand", CAFC Alert, July 20, 2012, 7.20.2012
 - > "CAFC defines "common sense" and warns against impermissible hindsight", CAFC Alert, June 6, 2012, 6.6.2012
 - > "In a dispute over a patent licensing agreement, CAFC refuses to deny enforcement of an arbitration clause based on a technicality", CAFC Alert, March 29, 2012, 3.29.2012
 - > "Supreme Court strikes down diagnostic method claims as non-patent-eligible subject matter", CAFC Alert, March 20, 2012, 3.20.2012
 - > "Under Unusual Circumstances, CAFC Re-Affirms that Conception Does Not Require Understanding How or Why an Invention Works", CAFC Alert, December 21, 2011, 12.21.2011
 - > "Are Genes Patent-Eligible Subject Matter? The Myriad Case." co-authored with Yuko Matsutoya, Pharmstage, 2011 (in Japanese), 2011
 - > "AMP v. USPTO: The Latest Developments", PLI Patent Law Practice Center, September 21, 2011, 9.21.2011
 - > "Classen v. Biogen: CAFC Tries To Target Patent Eligibility But Misses", PLI Patent Law Practice Center, September 16, 2011, 9.16.2011
 - > "AMP v. USPTO: Myriad Wins This Battle, But Will the War Continue?", CAFC Alert, August 16, 2011, 8.16.2011
 - > "AMP v. USPTO: Myriad wins this battle, but will the war continue?", PLI Patent Law Practice Center, August 1, 2011, 8.1.2011
 - > "Boston Scientific Corp. V. Johnson & Johnson, Cordis Corp. and Wyeth, Fed. Cir. June 7, 2011", CAFC Alert, June 15, 2011, 6.15.2011
 - > "AMP v. U.S.P.T.O.: Oral Argument at the Federal Circuit", PLI Patent Law Practice Center, April 5, 2011, 4.5.2011
 - > "Prometheus v. Mayo: An unsurprising outcome, but a preview of the Myriad genetics case?", JDSupra, December 20, 2010, 12.20.2010
 - > "Goeddel v. Sugano: Fully describe your invention, don't leave it for others to "envision"", JDSupra, September 13, 2010, 9.13.2010
 - > "Deoxycholate, an endogenous tumor promoter and DNA damaging agent, modulates BRCA-1 expression in apoptosis-sensitive epithelial cells: Loss of BRCA-1 Expression in colonic adenocarcinomas", Nutrition and Cancer, 2003 (with Donato R. Romagnolo DR, Jennifer Ku, Brandon D. Jeffy, et al.), 8.19.2003
 - > "Epigenetics of breast cancer: Polycyclic aromatic hydrocarbons as risk factors", Environmental and Molecular Mutagenesis, 2002 (with Brandon D. Jeffy and Donato F. Romagnolo), 3.8.2002
 - > "Activation of the aromatic hydrocarbon receptor pathway is not sufficient for transcriptional repression of BRCA-1: Requirements for metabolism of benzo[a]pyrene



to 7r,8t-dihydroxy-9t, 10-epoxy-7,8,9,20-tetrahydrobenzo[a]pyrene", Cancer Research, 2002 (with Brandon D. Jeffy, Ryan B. Chirnomas, Eddy J. Chen, Jean M. Gudas, and Donato F. Romagnolo), 1.1.2002

Lectures

- > "Biotech 2012: Myriad and Mayo" Japan Patent Attorneys Association, Bio-Pharma Study Group, Tokyo, Japan, 2012.
- > "AIA Provisions That Every Bio/Pharma Practitioner Should Know About", Japan Patent Attorneys Association, Bio-Pharma Study Group, Tokyo, Japan, 2012.
- > "Biotechnology and Genetic Engineering Practice", Japan Intellectual Property Association, Washington D.C., 2011
- > "Recent Developments in U.S. Biotech Patent Law 2011" Japan Patent Attorneys Association, Bio-Pharma Study Group, Tokyo, Japan, 2011.
- > "Gene Patenting: The Myriad Genetics Case" Japan Patent Attorneys Association, Bio-Pharma Study Group, Tokyo, Japan, 2010.
- > "Expedited Examination" Japan Intellectual Property Association, Washington, D.C., 2009
- > "Recent CAFC Decisions" Japan Intellectual Property Association, Tokyo, Japan, 2007.