

ANDREW G. MELICK
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Biography

Mr. Melick's practice includes patent prosecution in chemical arts with a focus on refinery and chemical plant technologies, resins, polymers, resist compositions and batteries. He also specializes in post-grant proceedings, including reexamination and reissue applications. Additionally, Mr. Melick provides legal opinions and counseling on patentability, patent validity and patent infringement.



Before joining WHDA, Mr. Melick was an Examiner at the U.S. Patent and Trademark Office and was a law clerk for The Honorable Paul J. Luckern and the Office of Unfair Import Investigations at the U.S. International Trade Commission. He also has prior experience as a chemical engineer at ExxonMobil designing and developing chemical plant monitoring applications and computer simulators for providing training to plant operators.

Outside of work, Mr. Melick is a USA Cycling licensed amateur bike racer participating in races in the Virginia Cycling and Mid-Atlantic Bike Racing organizations. He also enjoys golf.

Related Services

- › Patent Prosecution
- › Legal Opinions and Counseling
- › Post-Grant Procedures

Related Technologies

- › Chemistry, Chemical Engineering and Materials Science

Education

- › B.S., Chemical Engineering, 1997, Virginia Polytechnic Institute
cum laude
- › J.D., 2005, George Mason University School of Law

Admissions

- › U.S. Patent and Trademark Office, 2005
- › Virginia Bar, 2005
- › District of Columbia Bar, 2011

Memberships

- › American Intellectual Property Law Association
- › American Bar Association

Publications

- › A Claim term referring to an antecedent using “said” or “the” cannot be independent from the antecedent , 2.24.2023
- › Artificial Intelligence Systems Cannot be Inventors on a Patent Application, 10.5.2022
- › Claim differentiation helps broaden the scope of a claim to a Fuse end cap, 4.29.2022
- › Breathe Easier, the CAFC Provides Guidance on Construing the Claimed Concentration of a Stabilizer in Patents for an Asthma Drug, 2.25.2022
- › Patent Claims Cannot be Construed One Way for Eligibility and Another Way for Infringement, 9.17.2021
- › An Improvement in Computational Accuracy is Not a Technological Improvement, 5.20.2021
- › Motion detection system found to be ineligible patent subject matter, 2.18.2021
- › The Patent Trial and Appeal Board has discretion in issuing sanctions and is not limited by the Sanctions Regulations under Rule 42.12, 11.5.2020
- › Nexus for Secondary Considerations requires Coextensiveness between a product and the claimed invention, 6.26.2020
- › Post-Importation Activity can be used by the International Trade Commission for determining a violation of Section 337, 3.18.2020
- › Is a claim limitation functional or merely an intended use?, 11.21.2019
- › Plausible and specific factual allegations of inventive claims are enough to survive a motion to dismiss for Patent Ineligible Subject Matter, 7.22.2019
- › Claims to a Dietary Supplement Survive a Motion to Dismiss on a § 101 Patent Subject Matter Eligibility Challenge, 3.26.2019
- › Spreadsheet Tabs Survive Alice Test of Patent Subject Matter Eligibility , 11.2.2018
- › The Definiteness Standard for AIA Trials is Still Undecided, 6.7.2018
- › A Non-Overlapping Prior Art Range May Still Render a Claimed Range Obvious., 4.12.2018
- › A “Teaching Away” Argument Must be Commensurate in Scope with the Claims, 10.17.2017
- › The On-Sale Bar Under the America Invents Act Does Not Require a Public Disclosure of the Invention, 5.9.2017
- › Intent of Amendment is Irrelevant for Determining Intervening Rights, 9.29.2015
- › Claim terms narrowed by prosecution record, 4.23.2015



- > Inequitable Conduct Under the Therasense Standard, 10.1.2014
- > "No Claim Preclusion. No Issue Preclusion. No Problem. The Kessler Doctrine Fills The Gap.", CAFC Alert, March 26,2014, 3.26.2014
- > "License agreement to a patent may extend to a corresponding reissue patent", CAFC Alert, December 19, 2012, 12.19.2012
- > "Presumption of Validity Attaches to All Issued Patents, Even Incorrectly Issued Patents", CAFC Alert, July 5, 2012, 7.5.2012
- > "CAFC Provides Guidance for Patent Eligibility of Computer Aided Methods", CAFC Alert, February 1, 2012, 2.1.2012

News

- > WHDA successfully defends music video game patent in Inter Partes Reexamination, 6.13.2014