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Keith J. McWha

Shareholder

keith.mcwha@stevenslee.com

Bergen County

201.857.6774

Practice

Intellectual Property

A registered patent attorney, Keith assists clients with securing, protecting and optimizing the value of their patent, trademark and copyright assets. He also provides guidance on privacy and security matters and handles a wide range of agreements related to these areas, as well as licensing, outsourcing, joint development and clinical trial agreements both day-to-day and in the context of mergers and acquisitions. His clients include companies in industries that provide pharmaceuticals, medical devices, biological products, food products, cosmetics, electronic components, semiconductors, software, financial services, automotive products and consumer products.

As a named inventor on several U.S. and international patents dealing with medical devices, Keith brings the experience of being a client to his practice. His ability to view intellectual property issues from multiple perspectives allows him to develop the right solution for each problem. Keith has prepared, licensed, defended and enforced patents in the chemical, mechanical, electrical and computer sciences arts. He also has prepared trademark and copyright applications, drafted opinion letters and assisted with software and digital media issues. His particular experience dealing with the FDA along with his knowledge of industry developments, regulations and requirements has allowed Keith to better assist his clients whose work involves medical devices and other regulated products.

As a litigator, he has handled patent and trademark infringement matters on behalf of plaintiffs and defendants, as well as Hatch-Waxman litigation on behalf of major pharmaceutical companies. He has represented clients before a range of district courts and appeals courts. His work in post grant proceedings includes inter partes reviews (IPR), post-grant reviews (PGR), covered business methods (CBM) and ex parte re-examinations.

Keith also represents clients in the area of privacy and security, data, information rights and compliance needs surrounding their day-to-day operations and their mergers and acquisitions goals. In addition to auditing and identifying risks and opportunities with IP assets, he assists clients with matters involving privacy and security and has created and implemented policies and procedures related to cybersecurity, data and information rights, and has advised clients on matters relating to their digital presence, including websites. He is experienced in developing incident response policies and crisis data management plans and helps to navigate issues regarding privacy requirements under the EU General Data Protection Regulation (GDPR), California Consumer Privacy Act (CCPA) and other privacy laws.

Prior to his career in law, Keith served six years as a non-commissioned officer with the U.S. Army. He was assigned to HHT 1st Squadron 26th Cavalry, and then Co. B, 102nd Medical Battalion, 10th Mountain Division as a combat medic.

Affiliations

- New Jersey Intellectual Property Law Association
- New York Intellectual Property Law Association
- International Association of Privacy Professionals

Education

- Seton Hall University School of Law, J.D.
- University of Massachusetts, M.S., Plastics Engineering
- University of Massachusetts, B.S., *summa cum laude*

Bar Admissions

- New York
- New Jersey
- District of Columbia
- U.S. Patent and Trademark Office

Certifications

- Certified Information Privacy Professional – U.S. (CIPP/US)