



Babak Kusha

Partner

Two Embarcadero Center
Suite 1900 , San Francisco , CA USA 94111
t 415.273.7512 | f 415.723.7140
bkusha@kilpatricktownsend.com

Services

Anti-Counterfeiting & Gray Markets
Asset Creation - Prosecution &
Counseling

Industries

Food, Restaurant & Beverage
Medical & Surgical Devices
Retail & Consumer Goods
Technology

Babak Kusha is a partner in the firm's Intellectual Property practice and serves as co-chair of the multidiscipline Retail & Consumer Group. Previously, he has served as a co-chair of the firm's Mechanical & Medical Device Patent Team. Babak focuses his practice on patent prosecution and counseling, with special emphasis in the electromechanical, mechanical, biomedical, related software technologies, food and beverage, and consumer goods areas. As an accomplished patent attorney and expert in design rights, Babak helps clients evaluate IP risks, implement carefully-calculated IP plans and acquisitions, and strategize the use of IP to achieve business-related goals.

Babak has extensive experience in the field of design law, including strategic design protection and enforcement including coordinating U.S. and International utility and design patent, trademark and copyright protections. He counsels clients on various aspects of intellectual property law, including clearance or freedom-to-operate, invalidity and non-infringement issues, competitive analyses, patentability opinions, invention identification and assessment, as well as preparation and prosecution of patent applications. With 20 years of experience as a Registered Patent Attorney and 12 years as a Mechanical and Nuclear Engineer, Babak advises clients on patent strategy for new products, including assisting inventors with invention disclosures; he works closely with the product management team, technical directors, design staff, technical staff and in-house corporate counsel, IP and patent attorneys.

Prior to his work in the legal field, Babak worked for 12 years as an engineer. He held his first engineering position at ABB Impell Corporation, where he specialized in nuclear and fossil fuel power. He then worked with Fluid Dynamics International, initially working with computational fluid dynamics and later opening and managing Fluent's Western Region office. His clients included many of the world's leading automotive, aerospace, defense, electronic and power utility corporations.



Babak was recommended by Legal 500 US in 2019 for Patent Prosecution.

Education

Illinois Institute of Technology, J.D. (1999)

University of Wisconsin-Madison, B.S. (1986)

University of Wisconsin-Madison, B.S., Mechanical Engineering (1984)

Admissions

California (2000)

Court Admissions

U.S. Patent and Trademark Office

Professional & Community Activities

American Bar Association

American Intellectual Property Law Association

Bar Association of San Francisco

Patent and Trademark Office Society

San Francisco Intellectual Property Law Association

Insights

[Perspectives](#)

6 Key Takeaways | Design Rights Protection for Retailers and Consumer Product Companies

January 30, 2020

[In The News](#)

Babak Kusha Quoted in TIME

January 22, 2020

[Perspectives](#)

Retail and Consumer Goods Team Alert | 2020 VISION

January 16, 2020

[Publications](#)



Automotive Design Patents: Best Protection Strategies

December 11, 2019

Perspectives

Recent Trends in Food & Wine Industry and Their Legal Implications | The Patent Landscape

December 5, 2019

Publications

Preserving Employer's Patent Rights with Shop Rights & Hired-to-Invent Doctrines

October 7, 2019

Perspectives

Design Patent Damages: Post *Samsung v. Apple*

September 17, 2019

Events

Design Patents – Interesting Developments and Considerations for Protecting Innovations and Enhancing Brand Protection

August 6, 2019

News Releases

Kilpatrick Townsend Receives Top Rankings from 2019 Legal 500 US

July 10, 2019

Perspectives

2019 Design Day Takeaways

May 22, 2019

Perspectives

KT Design Patent Primer | Patent Eligibility of Articles “Hidden in Use”

September 21, 2018

Publications

The Success of the Pizza Autosaucer® ...and the patents that made it possible

July 11, 2018

[Publications](#)

GUIs: A Hotbed for Design Patents

April 25, 2018

[Perspectives](#)

4 Key Takeaways: The Hague Agreement: Recent Trends and Developments

March 28, 2018

[Webinars](#)

The Hague Agreement and Design Filings: Recent Trends and Developments in 2018

March 20, 2018

[Publications](#)

Recent Developments Determining Design Patent Damages

February 13, 2018

[Alerts](#)

4 Key Takeaways: The Hague Agreement & Design Filings – Things You Need to Know & Do

October 27, 2017

[Alerts](#)

4 Top Takeaways: Smart Prosecution for Value

August 18, 2017

[Publications](#)

Design Patents: Do New Component-Based Damages Encourage IP Knockoffs?

April 26, 2017

[Events](#)

Internet of Things: Protecting and Profiting from Your Company's Knowledge Assets

February 25, 2016

[Events](#)

Protecting Product Designs, Configurations and Packaging Using Design Patents, Trademark and Trade Dress

February 25, 2016