



## Daniel T. Chavka

Partner

Tel 312.423.3450  
dchavka@marshallip.com

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Daniel T. Chavka is a registered patent attorney, focusing his practice on patent procurement and portfolio management. He thrives on engaging with the latest technological advancements, particularly in the medical device space, and is passionate about finding creative ways to protect the inventions of his clients. Daniel works closely with in-house counsel and managers, invention review committees, and inventors to evaluate new innovations, develop protection strategies, and implement those strategies around the world.

Much of his prosecution experience has been high-stakes and complex, often entailing competitor surveillance to devise and secure claims of strategic value, appealing rejected applications to the Patent Trial and Appeal Board and equivalent bodies abroad, and leveraging continuation and divisional applications to maximize the reach of his clients' portfolios.

Daniel is also experienced in leading freedom-to-operate investigations for products slated for commercialization. He is skilled in advising individuals across an organization, from executives to product developers, on how to safely maneuver through what can appear to be a maze of patent claims. These activities often result in Daniel rendering formal opinions on patent non-infringement and invalidity.

Daniel also assists clients with the due diligence research and analysis needed for patent portfolio acquisitions and has extensive experience conducting patent landscape studies.

Prior to becoming a patent attorney, Daniel served as a patent examiner in the medical device arts at the U.S. Patent and Trademark Office (USPTO). He leverages the insights he gained as an examiner to hone the prosecution strategies of his clients, for both quality and efficiency. His examiner experience has proved especially useful in assisting clients navigate applications originating from abroad through the USPTO.

### Practices

- Patent Prosecution
- Post-Grant Patent Proceedings

## Industries

- 3D Printing
- Automotive & Transportation
- Consumer Products
- Electrical & Computer Technologies
- Industrial & Mechanical Technologies
- Insurance & Financial Services
- Medical Devices

## Representative Experience

Daniel has represented clients in diverse areas of technology, including:

- Automotive braking and suspension systems
- Bearings
- Bottling machines
- Data encryption and storage
- Digital image processing and formation
- Electric motors
- Electrochromatic glass
- Electron gun sterilization devices
- Engine control systems
- Heat exchangers
- Insurance related applications
- Medical devices
- Packaging machines and processes
- Printer components and ink
- Process control equipment
- Satellite communication and imaging systems
- Seal arrangements
- Semiconductor fabrication
- Snow removal and salting equipment
- Touch screens
- Turbine components

## Background and Credentials

Prior to joining Marshall Gerstein, Daniel was a patent attorney in the Washington, D.C. area office of a national law firm. He also served as a patent examiner at the U.S. Patent and Trademark Office where he examined medical device applications directed to stents, prosthetic heart valves, and surgical instruments. His industry experience includes working as a mechanical engineer at Caterpillar, Inc. where he designed and performed field tests on proprietary, pre-production track-type tractors and other heavy equipment.

Daniel received his J.D. from Chicago-Kent College of Law, where he was an editor of the *Chicago-Kent Intellectual Property Law Journal*. He holds a B.S. degree in mechanical engineering, with honors, from the University of Illinois at Urbana-Champaign. He also completed an English minor at Illinois and remains a fervent reader.

## Education

- Chicago-Kent College of Law, Illinois Institute of Technology (J.D.)
- University of Illinois, Urbana-Champaign (B.S.)
  - Mechanical Engineering

## Bar Admissions

- Illinois
- Virginia
- U.S. Patent and Trademark Office

## Publications and Presentations

September 16, 2019

### **"How Patent Landscape Studies Can Guide Medical Device Innovation"**

*Medical Design Briefs*

September 2018

### **"Making 3D Printing Eco-Friendly: A Potential Opportunity for Patent Protection"**

*INNOVATE Magazine*

May 2, 2018

### **3D Printing Roundtable**

Fall 2017 Edition

### **"Making 3D Printing Eco-Friendly: A Potential Opportunity for Patent Protection"**

*Illinois Manufacturers' Association Journal*

February 17, 2016

**“Breakfast Briefings 2016”**

*Illinois Manufacturers’ Association*

June 18, 2015

**“Federal Circuit Changes Standard For Evaluating Means-Plus-Function Claims”**

*Marshall Gerstein Alert*

August 2014

**“Fallout from Alice Corp. v. CLS Bank: A Patent Prosecutor's Perspective”**

November 2011

**“Recent Patent Office Examination Guidelines Addressing Means-Plus-Function Claim Limitations”**