

## Bernard A. Brown II, Ph.D.

### Senior Counsel

### Overview

Bernie assists clients protect and leverage their biotechnology, pharmaceutical, and chemical innovations. He has expertise in a variety of life sciences technologies including molecular biology, immunology, biosimilars, biochemistry, medical devices, diagnostics, blood products, agriculture, plants, and small molecule pharmaceuticals and their formulations.

Bernie provides comprehensive patent prosecution, portfolio management, and commercialization counsel. He handles U.S. and foreign prosecution; patentability, freedom-to-operate, and prior art analysis; invalidity and non-infringement opinion work; and reexamination requests. He also assists clients with licensing their technologies, overall portfolio strategy, and navigating the FDA regulatory process. Additionally, Bernie advises clients on pre-litigation Hatch-Waxman and Biologics Price Competition and Innovation Act (BPCIA) strategy, *inter partes* review proceedings, and Patent Trial and Appeal Board and Federal Circuit appeals.

Bernie has a Ph.D. in Biochemistry and more than 10 years of research experience. He spent five years as an Assistant Professor of Biochemistry and Chemistry at Wake Forest University, and worked for three years as a research scientist at North Carolina State University. During law school, Bernie was a Patent Agent. After earning his Ph.D., he spent several years as a Postdoctoral Fellow and Associate at the Massachusetts Institute of Technology focusing on Structural Biology and Biophysics.

Bernie's past experience as a researcher, externally seconded counsel for a specialty pharmaceutical company, and as outside counsel at a national intellectual property boutique and a full service firm informs his practical understanding of the challenges of managing business goals and expectations with commercially valuable IP protection.

### Professional Activities

- Member, North Carolina Bar Association, Intellectual Property Law Section



[babrown@michaelbest.com](mailto:babrown@michaelbest.com)

### Raleigh

T. 984.220.8763

### Legal Assistant

#### **Alexandrea Talsky**

[amtalsky@michaelbest.com](mailto:amtalsky@michaelbest.com)

T. 414.277.3440

### Industries

Cannabis  
Life Sciences

### Practices

FDA Regulatory  
Intellectual Property  
Patent

- Member, American Intellectual Property Law Association

## Education

- Elon University, Juris Doctor (J.D.), 2010; Business Editor, *Elon Law Review*
- North Carolina State University, Doctor of Philosophy (Ph.D.), 1997; Biochemistry
- North Carolina State University, Bachelor of Science (B.S.), 1992; Zoology and Biochemistry
- North Carolina State University, Bachelor of Arts (B.A.), 1992; Chemistry

## Admissions

- North Carolina
- United States Court of Appeals, Federal Circuit
- United States District Court, Middle District of North Carolina
- United States Patent and Trademark Office

## Related News

### **PUBLICATION**

April 27, 2020

Federal Circuit Affirms Patent Term Extension Only Applies to FDA-Approved Active Ingredients

### **NEWS**

September 30, 2019

Michael Best Adds Three Senior Counsel to Expand Raleigh Office