

Winston & Strawn Partner Kathi Vidal Confirmed as Undersecretary of Commerce for Intellectual Property and as Director of the United States Patent and Trademark Office

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CHICAGO – April 5, 2022 – Winston & Strawn Partner and Presidential Nominee Kathi Vidal has been confirmed by the United States Senate as Undersecretary of Commerce for Intellectual Property and as Director of the United States Patent and Trademark Office (USPTO). Kathi will lead the USPTO’s 13,000+ employees and its nearly \$4 billion budget. She will also serve as the principal advisor to the President of the United States and the administration, through the Secretary of Commerce, on all intellectual property policy matters.

Kathi served as Managing Partner of Winston & Strawn’s Silicon Valley office and served on the firm’s Executive Committee. One of the country’s leading patent litigators, Kathi is nationally recognized for leading and trying high-profile technology- and medical device-focused patent and other intellectual property disputes on behalf of leading companies, small to medium-size companies, and startups. Her work encompasses district court and ITC litigation as well as litigation before the USPTO (specifically, the Patent Trial and Appeal Board) and appeals to the Federal Circuit and Supreme Court. She has also worked to protect U.S. innovation in cross-border disputes and has been involved in policy development in the standard-setting space.

“We congratulate Kathi on her confirmation and wish her the very best in this essential role driving innovation and energizing the global economy,” said Winston Chairman Tom Fitzgerald. “We are proud of the exceptional work Kathi has done to assist our clients and to advance the profession at large. We will miss her tremendous contributions to those clients and to our firm. As Undersecretary and USPTO Director, I have no doubt Kathi will apply her tireless dedication, ingenuity, and vision to driving the country forward.”

“I have seen our intellectual property system at its best: incentivizing research and development that leads to new technologies and improvements to existing technology,” said Kathi when testifying before the Senate. “I have also seen that we can do better—that we can work together to build an intellectual property system that is more predictable, reliable, and transparent.” Kathi noted that she is “prepared for the challenges we face” and is committed to strengthening our intellectual property system to become one “in which the American people and our inventors, creators, and investors will have even more confidence.”

At Winston & Strawn, Kathi represented both plaintiffs and defendants and demonstrated a deep understanding of the points of view of stakeholders on intellectual property issues.

“She (Kathi) clerked on the U.S. Court of Appeals for the Federal Circuit and has spent 25 years as an intellectual property litigator in private practice,” said California Senator Diane Feinstein during Kathi’s Senate confirmation hearing. “It is very clear to me that she has a very deep knowledge of intellectual property law and the important work conducted the USPTO. This will truly serve her well.”

“With her background as an engineer and a patent lawyer, Kathi is no stranger to diversity and inclusion challenges in our innovation ecosystem,” said California Senator Alex Padilla during the hearing. “In private practice, Kathi has championed efforts to improve the diversity of law firms, especially at the intersection of law, technology, and regulatory policy. She has also founded the Next Generation Lawyers initiative to advocate for training and opportunities for junior lawyers. Throughout her career, Kathi has developed a reputation for thoughtful and insightful decision-making, and I know that these qualities will serve her well as director of the USPTO.”

“The arrival at the USPTO of Kathi Vidal provides a basis for some hope that the coordination between the USPTO and the Federal Circuit will get much better,” said Paul R. Michel, retired Chief Judge of the Federal Circuit.

Outside of the law, in addition to being a mother of two boys, Kathi is a member of *Fortune’s* Most Powerful Women and sat on numerous boards, including SuperPhone (a smart-texting startup), ChIPs (women in policy, law, and technology), and Cinequest (the Silicon Valley Film Festival). Kathi regularly works to advance diversity and equality and mentors women from underdeveloped countries through the State Department’s mentorship program. She is an avid photographer whose works have appeared in magazines and advertisements. Kathi is also a perpetual athlete who has played NCAA and USVBA volleyball, run numerous marathons, and won the Northeast Region of the United States crew regatta.

Winston & Strawn partners have a proud and long-standing tradition of accepting leading roles in public service—the most recent being the appointment of Partner Julissa Reynoso as Chief of Staff to First Lady Dr. Jill Biden, and her more recent nomination to be the Ambassador to Spain and Andorra, and the nomination of former Partner Thomas Kirsch to serve as Circuit Judge on the U.S. Court of Appeals for the Seventh Circuit.

Kathi received her B.S. from Binghamton University in 1990 and her M.S. in electrical engineering from Syracuse University in 1992. She received her J.D. from the University of Pennsylvania Carey Law School in 1996, where she was editor-in-chief of the *University of Pennsylvania Law Review*.

Winston & Strawn LLP is an international law firm with 15 offices located in North America, South America, Asia, and Europe. More information about the firm is available at www.winston.com.

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