JOHN POSTHUMUS

Who: Sheridan Ross PC attorney and shareholder John Posthumus focuses his practice on complex intellectual property litigation. He’s represented numerous clients in trademark and copyright infringement actions, trademark dilution actions, and trademark opposition and cancellation proceedings. He’s licensed to practice in the U.S. Patent Office and early in his career, he prepared and prosecuted more than 100 patent applications in the areas of computer hardware and software, telecommunications, consumer electronics, photography and business methods.

Why he’s important: Posthumus has been working behind the scenes for several years to get a satellite patent office in Denver. He has logged more than 1,000 hours on the effort, along with attorneys Michael Drapkin of Holland & Hart LLP and Tom Franklin of Kilpatrick Townsend & Stockton.

Posthumus has met with local business leaders and elected officials, including Denver Mayor Michael Hancock, Gov. John Hickenlooper, Sen. Michael Bennet and Sen. Mark Udall, to help get legislation passed to open new patent offices, and has led the push to bring an office to the Mile High City. A patent office here would have a direct economic impact of creating at least 200 jobs and a likely ripple effect of many more. It would bring entrepreneurs and inventors to Denver as they go through the patent-application process, and likely would attract more venture capital to Colorado startup companies.

What’s happening in his industry now?: The America Invents Act, which President Barack Obama signed into law in September, calls for three patent offices to be opened outside of the U.S. Patent and Trademark Office in Alexandria, Va. Detroit already was chosen as one location, but Denver was thought to be a close second, Posthumus said.

The act is meant to cut by half the backlog of more than 700,000 U.S. patent applications, and to reduce the time it takes to approve patent applications from three years to about 18 months.

The act also shifts the U.S. to a “first to file” from the current “first to invent” system to make the U.S. more aligned with the rest of the world. And the act ended the government’s ability to divert patent funds to other government areas.

It’s the first major overhaul of the nation’s patent law since 1952, Posthumus said. The change is “dramatic and significant,” he said, so it’s important for businesses and inventors to stay on top of the changes, which will go into effect on Jan. 1, 2013.

Benchmarks in 2012:

The deadline for Colorado to submit its formal application to the U.S. Patent Office for a satellite office in metro Denver is Jan. 30, 2012. Posthumus said it’s hard to predict when the government will make its decision on the two satellite office locations, but he expects Denver officials will know ‘one way or the other’ by midyear.

Quote: “The community here is incredibly engaged on this effort. From Mayor Hancock to Gov. Hickenlooper to Tom Clark at the EDC [Metro Denver Economic Development Council] to Sen. Bennet and many others. This is a completely bipartisan effort, and it will impact all of Colorado. Something like this [office] would get lost in the large California economy. If you put it in Colorado, it could have a much bigger ripple effect.”