

**Phil Kauffman**

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### **Professional Summary**

- Administrative Patent Judge (APJ) for 14 years, clerk for three years. Administrative Patent Judges are engineers and attorneys that have passed the patent bar. I was on panels of three judges for over 1,000 decisions (*ex parte* appeals, America Invents Act proceedings, and reexams). These cases involve complex engineering and legal issues. My decisions are all publicly available (<https://developer.uspto.gov/ptab-web/#/search/decisions>)
- Managed the “Training Tuesday” weekly training program for the Patent Trial and Appeal Board for the Judges and other patent attorneys (over 200 people) for 15 years. My program covered case law developments, writing and analysis skills, and soft skills such as techniques for active listening. The program became a model for the entire Agency. I personally drafted and presented dozens of presentations and managed many more. I also ran our “Tech Thursday” Program. Twice a month we had demonstration sessions on software that we used and other IT related issues.
- I served a 20-year career in the Air Force, mostly as a Judge Advocate. I personally served as trial counsel on 15 prosecutions and supervised prosecutors for many more cases. I oversaw criminal investigations as well as aircraft accident, sexual harassment, and inspector general investigations.

### **Bar Admissions**

- Attorney, MI P54374
- Patent Attorney, Reg. 42,712

### **Education**

- J.D. – The Ohio State University, Columbus, OH
  - M.S. – Military Art and Science (Distinguished Graduate), Air University, Montgomery, AL
  - B.S. – Engineering Mechanics (Aerospace Structures), USAF Academy, Colorado Springs, CO
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## **Training & Certifications**

- Mediator, Texas Tech (40 hours, May 2025)
  - How to Run a Successful Mediation Business with Julie Gentili Armburst (1 hour)
  - Maximizing Mediation with Jim Melamed (1.5 hours)
  - Dealing with Difficult People, Harvard Negotiation Project (2007)
- Arbitrator, Manouso Mediation and Arbitration (10 hours, Sept 2025)
- FINRA Arbitrator (neutral ID A69419) (Basic Arbitration & Expungement, Chairperson Training, Civility in Arbitration, Discovery, Abuses and Sanctions, Enhanced Expungement Training, Prehearing Conference, Duty to Disclose, May 2025)
- Insurance Umpire, IAUA Certification, Reg. 79660700 (March 2025);  
Registered Umpire Texas Dept of Insurance
  - Adjusterpro Construction 101 (August 2025)
  - Xactimate (12 hours, August 2025)
  - Licensed Texas All Lines Insurance Adjuster, 3370678 (40 hours, June 2025)
- Personal Finance:
  - Securities Industry Essentials (SIE) (May 2025)
  - Estate Planning, Tarleton State (2022)
  - Accredited Asset Management Specialist, Kaplan College for Financial Planning (2020) (no longer current)

## **Public Speaking**

- Speaker - Virtual Patent Trial and Appeal Board (PTAB) Bench and Bar, tips for oral argument, August 2021
- Host and presenter - Boardside Chat, Supplemental Evidence and Supplemental Information, April 2019
- Presenter - Boardside Chat, Best Practices for Presenting Patentability/Unpatentability Arguments, June 2016
- Speaker - PTAB Bar Association, PTAB Feud, March 2024 Washington DC
- Speaker - PTAB Bar Assc. Annual Conf., *Ex parte* Appeal Mock Argument with the APJs, March 2023, and March 2022, Washington DC
- Speaker – several PTAB stadium tours (actual hearing followed by presentations at a law school with local bar invited)
- Speaker – *Meet a Judge*, Inventor Hour, Episode 18
- Judge at several local school science fairs
- Served as a moot court judge with feedback to participants (both law students and practitioners)

### **Professional Affiliations**

- Tarrant County Association of Mediators
- Texas Association of Mediators
- American Intellectual Property Association
- North Texas Air Force Academy Alumni Association
- Member Insurance Appraisal and Umpire Association, Inc. (IAUA)

### **Honors and Awards**

- *Director's Award* for planning and executing an All-Hands Meeting, 2017 (highest award given by the Director to recognize an individual or group for contributions to the Agency).
- *7 Special Act Awards*: Various projects. Given to reward employees for exceptional contributions within or outside job responsibilities, which result in tangible benefits or savings, or intangible benefits to the Government.
- *Monetary Performance Award* every year from 2018-2024 for a 500/500 annual performance rating.
- *Legion of Merit*, U.S. Air Force, July 2006. This award is granted to individuals who demonstrate an exceptional level of meritorious conduct, it is the highest non-combat medal (rare for a Lieutenant Colonel, typically only given to Colonels).

### **Volunteer work & community involvement**

- Selected and trained to be an Academy Liaison Officer (ALO) for the U.S. Air Force Academy to mentor and evaluate applicants. Speaker at Congressman Self's Service Academy Day in September 2023.
- Trinity Valley School (my daughter's school) volunteer in the concession stands and the lunchroom (food handler certified until Aug 2028). Member of the school's Arts, Outdoor, and Sports Booster Clubs. Volunteer at Tarrant County Food Bank.
- Hawthorne Park Estates board member for over 4 years. I managed the community property to include managing contractors, picking up trash, trimming trees, and other landscaping duties.
- Daughter is member of Kimbell Museum Teen Council, and we are members of Kimbell Museum.

## **Employment history**

### **Mediator, Arbitrator**

May 2025 - Present

- Established Sage Mediation and Arbitration, LLC, September 2025
- Began mediating for Lubbock and Tarrant Counties
- Arbitrated, on a panel of 3, court-ordered arbitration of a trademark and corporate agreement dispute that included a 4-day hearing. More than \$1.5 million in dispute, more than 175 exhibits, resulted was a 65-page award.

### **Administrative Patent Judge (APJ)**

April 2011 – April 2025

- U.S. Patent and Trademark Office, Patent Trial and Appeal Board (PTAB), Lead Judge of several Sections, mixed docket of *Ex parte* appeals and AIA proceedings, AIA mentor, All Hands Meeting committee member. Head of Judge training program for over ten years
- Cases involved a wide variety of technical and legal issues, such as: fractional tissue treatment with radiofrequency energy, a self-powered in-core detector for a nuclear reactor core, a method of controlling a clutch, and temporal artery temperature detector.<sup>1</sup>

### **Patent Attorney, PTAB**

Oct 2008 – April 2011

- Analyze *Ex parte* appeals and drafted opinions for my APJ

### **Associate, General Law, USPTO**

Oct 2006 – Oct 2008

- Patent related issues, legal counsel to Advisory Committees, fiscal law, statutory revisions, Office of Enrollment and Discipline disbarment appeals, Top Secret Clearance, Freedom of Information Act, Privacy Act
- Held a Top Secret clearance from the Department of Commerce to be agency legal representative regarding cyber security issues for classified patent information

### **Patent Examiner**

Jul 2006 – Oct 2006

- Art Unit 3652, Mechanical Engineering (e.g., wafer production, portable oil rigs, motorcycle racks)

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<sup>1</sup> *Ex parte* Appeals 2022-004458, 2022-004091, 2010-001473, and *Inter Partes* Review 2016-01437.

## **Officer, U.S. Air Force**

1986–2006

- **Judge Advocate**

- Held a Department of Defense Top Secret clearance, to include Special Compartmentalized Information (SCI) for my last six years of service
- Pentagon, Staff Attorney: Air Force-level policy for Freedom of Information Act (FOIA), Privacy Act, investigated military academy rape and sexual assault programs (Fowler Commission follow-on), confidential advisor, crisis communications advisor to public relations
- R.A.F. Mildenhall, England, Deputy Staff Judge Advocate: Advisor to Special Operations Group, advisor to commanders, office management, military discipline (including criminal trials), interface to British law enforcement, ethics advisor, member of local American-style football team
- Scott Air Force Base, Illinois, Deputy Staff Judge Advocate: Office management, military discipline (including criminal trials), administrative law, advisor to commanders, criminal trial counsel including prosecution of a General Officer (select), designated ethics advisor
- Los Angeles Air Force Base, Staff Judge Advocate: office management, military discipline (including criminal trials), advisor to commanders, ethics advisor

- **Logistics Analyst and Program Manager**

- Wright Patterson Air Force Base, Ohio: Managed the C-130 Aircrew Training System contract

- **Aircraft Maintenance and Munitions Officer**

- England Air Force Base, Louisiana: Maintenance Officer at A-10 Warthog Wing in a variety of management positions including the Jet Shop, on-line maintenance, maintenance statistical analysis branch, and, as a special duty, designed aircraft mounts for the aircraft in Flying Tiger's Heritage Park