

July 16, 2010

The Honorable Patrick J. Leahy  
Chairman  
Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, DC 20510-6275

The Honorable Jeff Sessions  
Ranking Member  
Committee on the Judiciary  
United States Senate  
152 Dirksen Senate Office Building  
Washington, DC 20510-6275

**Re: Nomination of Edward C. DuMont  
to the U.S. Court of Appeals for the Federal Circuit**

Dear Chairman Leahy and Ranking Member Sessions:

The American Intellectual Property Law Association (“AIPLA”) is pleased to submit this letter in response to President Obama’s nomination of Edward C. DuMont to be a judge on the United States Court of Appeals the Federal Circuit. AIPLA believes that Mr. DuMont, having demonstrated high intellect, excellent legal skills, sound judgment, and professional and personal integrity, is qualified to serve on the Federal Circuit.

AIPLA is a national bar association of more than 15,000 members who are primarily lawyers in private and corporate practice, in government service, and in the academic community. AIPLA represents a wide and diverse spectrum of individuals, companies, and institutions involved directly or indirectly in the practice of patent, trademark, copyright, and unfair competition law, as well as other fields of law affecting intellectual property. Our members represent both owners and users of intellectual property.

AIPLA notes Mr. DuMont’s impressive academic credentials and experience both in the Executive Branch and, more recently, in private practice. Graduating summa cum laude from Yale University in 1983, Mr. DuMont received his J.D. with distinction from Stanford University School of Law in 1986, where he earned several honors, including the Order of the Coif.

Following law school, Mr. DuMont clerked for The Honorable Richard A. Posner on the United States Court of Appeals for the Seventh Circuit, and spent more than seven years as an Assistant to the Solicitor General, where he argued 18 cases before the Supreme Court and briefed many more. Since 2002, Mr. DuMont has been with WilmerHale’s Litigation/Controversy Department and is also a member of the firm’s Appellate and Supreme Court Litigation Practice Group.

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This Association's previously provided White Paper (["Recommendations of the American Intellectual Property Law Association Regarding Nomination of Judges To the United States Court of Appeals for the Federal Circuit,"](#) Nov. 2, 2009), states that "consideration [should] be given... to nominating patent trial attorneys who have substantial practical, hands-on experience in trying patent cases in federal district courts." While this reflects a preference for trial practice, we also strongly appreciate the value of relevant appellate litigation experience, such as Mr. DuMont possesses. The White Paper also recommends, in general, that all individuals nominated to serve on the United States Court of Appeals for the Federal Circuit should have the highest qualifications: high intellect, legal skills, professional and personal integrity, sound judgment, and extensive experience in relevant fields of law and practice. Clearly Mr. DuMont meets these standards.

We have received comments from a number of our members which were very favorable to Mr. DuMont, including comments that he appears to have an excellent demeanor that would be well suited for a federal judge. By all accounts, Mr. DuMont appears to be a very deliberate and thoughtful person who would tend to be a consensus builder. He appears to be a nominee who undeniably exhibits high intellect, excellent legal skills, sound judgment, and professional and personal integrity. This leads us to believe that Mr. DuMont is qualified for the position of Judge, United States Court of Appeals for the Federal Circuit.

For the reasons noted, AIPLA recommends Mr. DuMont as one who is qualified to serve as a Judge, United States Court of Appeals for the Federal Circuit.

Respectfully submitted,



Alan J. Kasper  
President