

Marcus Smetka

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“I am an attorney with a focus on intellectual property law, primarily handling patent and trademark prosecution matters.”

As a registered patent attorney, Marcus has experience advising and representing individuals and businesses in intellectual property matters, specifically those involving mechanical and electromechanical technologies. He has experience working with clients that range from solo inventors to large corporations.

Marcus has additional experience preparing utility and design patent applications, as well as responding to office actions. Furthermore, he is skilled at preparing patentability and freedom-to-operate opinions, and advising clients on strategies for protecting their intellectual property based on the results of those opinions. He has assisted clients in prosecuting patents related to automotive, agricultural implement, home appliance, and medical instrument technologies, as well as prosecuting trademarks in the sports equipment and apparel industry.

Intellectual Property

- Automotive
- Patent
- Trademark

Prior to joining Howard & Howard, Marcus worked in private practice at an intellectual property boutique firm, as well as in-house for a growing corporation, developing strategies for protecting intellectual property rights. In addition to his legal experience, Marcus spent time working as a mechanical engineer for a large chemical company in Michigan, as well as remaining involved with his family's farm in southern Michigan.

Representative Matters

- Assisted a client in the medical instrument industry with obtaining a U.S. patent. Prior to filing and obtaining a U.S. patent for the client, a detailed patentability search was performed to identify any existing art in the space. Based upon the search results, we were able to advise the client on a strategy for drafting the application, which ultimately resulted in an allowance by the USPTO.
- Performed a freedom to operate search for a client in the medical instrument industry related to development of a new product. We presented the results to the client which included a list of features currently protected by active patents, as well as features previously disclosed that are now in the public domain. The information provided assisted the client in managing risks as they moved forward with development of the product.

Education

- University of New Hampshire School of Law, 2013
 - J.D.
 - LL.M., Intellectual Property
- Franklin Pierce Intellectual Property Law Certificate, 2013
- Saginaw Valley State University, 2009
 - B.S., *cum laude*, Mechanical Engineering

Memberships

- American Intellectual Property Law Association
- American Bar Association
- Iowa State Bar Association
- North Carolina Bar Association

Admissions

- Iowa, 2016
- North Carolina, 2014
- U.S. Patent and Trademark Office, 2014

Professional Achievements

- *Best Lawyers: Ones to Watch in America*, 2021-2025