



## ALFONZO I. CUTAIA

Partner

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Al focuses on patent practice in the general electrical, software, and mechanical arts, as well as trademark and copyright prosecution. His practice covers a number of technical disciplines, including electronics, software, mobile devices, spintronics, medical devices, dental devices, optics, metrology, industrial mechanical systems, and business methods.

Prior to joining Hodgson Russ, Al served as an intellectual property assistant for the Office of Science, Technology Transfer, and Economic Outreach at the University at Buffalo. Before attending law school, he worked for 14 years at Electronic Data Systems in technical and managerial roles. At Electronic Data Systems, Al was responsible for software development for engineering systems and client/server development and management. Al also worked for two years as a research and development technician at Eastman Kodak Company.

### Honors

- American Bar Association and Bureau of National Affairs Award for Excellence in the Study of Intellectual Property Law
- Henry A. Panasci Jr. Technology Entrepreneurship Competition
- Former electronic systems editor, *Buffalo Law Review*
- Listed, *Upstate New York Super Lawyers Rising Stars*, 2015 - 2018

### Experience

A team of Hodgson Russ attorneys assisted a Canadian start-up company with their expansion plans into the United States. The matter required a full range of specialties including immigration, tax, corporate, technology, and intellectual property. Our services included preparing and prosecuting trademark applications, forming a beneficial U.S. corporate structure, preparing agreements with vendors and users, and researching the U.S. patent landscape.

The Guaranty Building  
140 Pearl Street  
Suite 100  
Buffalo, NY 14202

### Practices & Industries

Blockchain & Cryptocurrency  
College & University  
Copyrights  
Cybersecurity & Privacy  
Design Protection & Design Patents  
Freedom-to-Operate Analyses  
India-U.S. Cross-Border  
Intellectual Property & Technology  
Intellectual Property Litigation  
Intellectual Property Portfolio Management  
Patent Prosecution  
Post-Grant Proceedings  
Startups & Emerging Companies  
Technology Licensing & Agreements  
Trade Secrets & Non-Disclosure Agreements  
Trademark & Domain Name Registration  
Website Agreements, Cloud Computing & Social Media

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Hodgson Russ defended two banks from patent infringement allegations by non-practicing entities. Our attorneys analyzed the patents for invalidity and non-infringement. Based on this analysis, our clients negotiated favorable settlements.

Hodgson Russ attorneys are actively defending a pharmaceutical marketing company from claims of patent infringement. We initiated *inter partes* reexamination to invalidate the alleged patent. Based on our arguments, the U.S. Patent and Trademark Office held the alleged patent invalid. The USPTO decision is currently under appeal.

## Press Releases

Sixty-One Hodgson Russ Attorneys Named to 2018 Upstate New York Super Lawyers

*Press Release*, August 20, 2018

Seventy Hodgson Russ Attorneys Named to 2017 Upstate New York Super Lawyers, Hugh Russ Listed Among Top 50

*Press Release*, September 6, 2017

Sixty-three Hodgson Russ Attorneys Named to 2016 Upstate New York Super Lawyers, Hugh Russ Listed Among Top 50

*Press Release*, August 31, 2016

Hodgson Russ Announces Six Newly Elected Partners *Twelve Attorneys Promoted to Senior Associate*

*Press Release*, January 11, 2016

Sixty-Four Hodgson Russ Attorneys Named to 2015 Upstate New York Super Lawyers, Hugh Russ Listed Among Top 50

*Press Release*, August 19, 2015

## Publications

Supreme Court Resolves Split Among The Circuits: No Time Limits on Monetary Recovery for any Timely Copyright Infringement Claim

*Hodgson Russ Intellectual Property Litigation Alert*, May 15, 2024

The Battle After *Warhol*: Tattoos as Artwork or Infringement?

*Hodgson Russ Intellectual Property Litigation Alert*, April 24, 2024

AI Lawsuit May Eclipse Claims of Fair Use

*Hodgson Russ Intellectual Property Litigation Alert*, April 5, 2024

## Admissions

New York

U.S. Patent and Trademark Office

## Education

Kettering University (formerly General Motors Institute), B.S.

University at Buffalo School of Law, J.D., magna cum laude

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Music Copyrights on a Roll – Read and Listen to Hear the Latest  
*Hodgson Russ Intellectual Property Litigation Alert*, October 6, 2023

Federal Circuit Set to Rehear Case En Banc Impacting the Longstanding Test for Design Patent Obviousness  
*Hodgson Russ Design Protection & Design Patents Alert* , August 9, 2023

Taco Bell Throws Its Hat in the Ring to Free “Taco Tuesday” from Trademark Protection  
*Hodgson Russ Intellectual Property Litigation Alert*, May 30, 2023

Copyright Claims of Cosmetic Company Continue to Trial  
*Hodgson Russ Intellectual Property Litigation Alert*, March 23, 2023

USPTO Warns of New Phone Scams Targeting Trademark Filers  
*Hodgson Russ Intellectual Property & Technology Alert* , February 7, 2023

Luxury Fashion Designer Earns Its Stripes In Trademark Victory Against adidas  
*Hodgson Russ Intellectual Property Litigation Alert*, January 27, 2023

Court Ruling Simplifies Service Upon Foreign Trademark Infringers  
*Hodgson Russ Intellectual Property Litigation Alert*, December 20, 2022

## **Presentations & Events**

Business Solutions Series: Media Law and First Amendment Seminar  
Hodgson Russ, Offices of Hodgson Russ, June 28, 2018

Intellectual Property Seminar  
New York University Tandon School of Engineering, April 19, 2018

Patents, Copyrights and More  
Invention to Venture Conference, University of Vermont, April 7, 2016

2015 UVM I2V Conference Roundtable: mHealth App Development & Regulation  
Burlington, VT, April 2, 2015

Mobile Apps, Privacy and Security & Software Licensing Update  
New York, NY, October 17, 2013

New York Energy Week’s Rise of Cleanweb Seminar  
New York, NY, June 26, 2013

University of Vermont Office of Technology Commercialization Seminar: America Invents Act - Impact on University Patenting  
Burlington, VT, November 14, 2012

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Legal Update for Colleges and Universities  
Hodgson Russ, New York, NY, October 24, 2012

Update: America Invents Act  
Hodgson Russ, New York, NY, February 7, 2012

In-House Counsel Update on Intellectual Property Litigation 2010  
November 18, 2010

### **Professional Affiliations**

- President: Niagara Frontier Intellectual Property Law Association
- American Bar Association
- New York State Bar Association

### **Community & Pro Bono**

- Member, Board of Directors: Ronald McDonald House Charities of Western New York