



Omar A. Khan

PARTNER

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Omar A. Khan is a leading trial and appellate lawyer representing the world's top technology and life sciences companies in high-stakes intellectual property matters. He is regularly recognized and ranked by *Chambers*, *Managing IP*, *IAM Patent*, and others, and he has successfully litigated some of the most challenging “bet-the-company” intellectual property matters, featured by *The New York Times*, *The Wall Street Journal*, *Bloomberg*, *Law360* and other national media outlets. His nearly 20 years of courtroom experience includes jury and bench trials in district courts throughout the country, PTAB proceedings, ITC proceedings, and international arbitrations. He has argued and won cases in multiple courts of appeals, including the Second, Ninth, and Federal Circuits, and represented clients in connection with over 30 appeals before the Federal Circuit.

Outside of the courtroom, Mr. Khan is a Fellow of the American Bar Foundation. He regularly publishes and speaks on a wide variety of intellectual property topics and developments, including as a guest speaker at Columbia, NYU and University of Michigan and as an editor of WilmerHale's *Federal Circuit Patent Watch* and *The Interplay: Key Decisions at the Intersection of Antitrust & Life Sciences*. His work has been featured as a *Top Read* and he also has been recognized as a *Top Author* and *Readers Choice* by *JDSupra* for his coverage of patents and related matters. He also has an extensive pro bono practice, which includes serving on the Pro Bono Panel of the US Court of Appeals for the Second Circuit and the Board of Directors of The Bronx Defenders, and representing pro bono clients in veterans benefits, voting rights, and civil rights matters, for which he has received awards and recognition from the Federal Circuit Bar Association, the New York State Bar Association, MFY Legal Services, and others.

Professional Activities

Mr. Khan is a Fellow of the American Bar Foundation. He was appointed to *Law360*'s Intellectual Property Editorial Advisory Board for 2020–2022. Mr. Khan is a member of the Federal Circuit Bar Association, where he was vice chair of the Pro Bono Committee and

continues to serve on the Pro Bono, PTO and Amicus Committees. He is also active in the New York Intellectual Property Law Association, where he serves on the Programs and Patent Litigation Committees, and in the Intellectual Property Owners Association, where he serves on the Pharmaceutical & Biotechnology Issues committee.

Pro Bono

Mr. Khan has an extensive pro bono practice, with a particular focus on veterans, disability, voting rights, and civil rights matters, and has been repeatedly recognized for his pro bono work, including by the Federal Circuit Bar Association, the New York State Bar Association and MFY Legal Services. He has acted as counsel or co-counsel to The Bronx Defenders, MFY Legal Services, Disability Rights New York, New York Lawyers for the Public Interest and the National Veterans Legal Services Program. He has also been appointed pro bono counsel, including by the Second, Sixth and Ninth Circuits, to represent indigent prisoners and defendants in civil appeals raising various habeas and civil rights issues, including issues of ineffective assistance of counsel, due process and equal protection.

As vice chair of the Pro Bono Committee of the Federal Circuit Bar Association, Mr. Khan coordinated the association's pro bono efforts relating to veterans and PTO appeals to the Federal Circuit. Mr. Khan also represents veterans and their spouses in Federal Circuit appeals relating to their claims for disability benefits. For his veterans work and contributions to the Pro Bono Committee, Mr. Khan was awarded the Pro Bono Advocacy Award and the Pro Bono Leadership Award by the Federal Circuit Bar Association.

Mr. Khan coached teams of middle school students for the Thurgood Marshall Junior Mock Trial competition, held annually at the Bronx Supreme Court and involving more than 1,000 students competing on behalf of 20 middle schools from the Bronx, Manhattan, Queens and Westchester County. He coached the St. Ignatius Loyola team that won the competition in 2010 and was featured in the *New York Daily News* for the victory.

Mr. Khan also represented various public interest organizations advocating for individuals with disabilities and filed amicus briefs in state and federal appellate courts on their behalf, for which he received the Pro Bono Partner in Justice Award from MFY Legal Services.

Past Experience

Prior to joining WilmerHale, Mr. Khan served as a law clerk to the Honorable William C. Bryson of the US Court of Appeals for the Federal Circuit and the Honorable Naomi Reice Buchwald of the US District Court for the Southern District of New York.

Mr. Khan also served as a Patent Examiner in the United States Patent and Trademark Office from 2001 to 2003, focusing on applications for patents directed to medical devices, diagnostics and other biotechnology.

Solutions

Appellate and Supreme Court
Litigation

Intellectual Property Litigation
Post-Grant Proceedings

Artificial Intelligence

Life Sciences
Technology

FinTech

Litigation
Trials

Recognition



Leading Lawyer for Intellectual Property

Chambers USA

2022-2023



IP Star

Managing IP

2022-2023



World's Leading Patent Professionals

IAM Patent 1000

2022-2023

- Recognized in the 2022–2023 editions of *Chambers USA Guide* in the category of Intellectual Property: Patents, with sources saying that he is a “fantastic, excellent litigator”; “absolutely fantastic”; “fantastic lawyer”; “equally a really good business partner”; “no-nonsense in his approach”; and “great at putting himself in the shoes of in-house counsel and giving his advice through that lens.”
- Recognized by *IAM Patent 1000* in 2022–2023, noting he is “hailed” as “smart, experienced and easy to work with,” a “practical and strategic litigator who pays attention to his clients’ goals,” skilled in the life sciences and technology fields, and has handled several “bet-the-company” cases.
- Named an IP Star by *Managing Intellectual Property* in 2022–2023, recognized as a leading IP lawyer in Patents – United States (National) and New York, and shortlisted for Practitioner of the Year (Litigation).

- Recognized by *Lawdragon* in 2022–2024 as one of the “Leading Litigators in America,” describing him as an “all-star litigator” for IP litigation and appellate matters.
- Recognized in 2024 as a Top Author and Readers Choice Award recipient by JDSupra, which also named as a Top Read the inaugural edition of *The Interplay: Key Decisions at the Intersection of Antitrust & Life Sciences*.
- Recognized by *Legal 500* in 2022 as a “key lawyer” and “noted practitioner” in Patent Litigation.
- *Litigation Daily's* Litigator of the Week Runner Up for a significant triple patent case victory, 2021.
- Listed as one of the “best performing” appellate practitioners at the Federal Circuit in *Patexia CAFC Intelligence Report 2021*.
- *Law360* Intellectual Property Editorial Advisory Board, 2020–2023.
- *LMG Life Sciences*, Impact Case of the Year for *Enzo Life Sciences v. Roche Molecular Systems*, 2020.
- Fellow, American Bar Foundation.
- Consistently recognized as a New York *Super Lawyer*.
- New York State Bar Association’s “Empire State Counsel” award in 2015.
- Federal Circuit Bar Association’s “Pro Bono Leadership Award” in 2012.
- Federal Circuit Bar Association’s “Pro Bono Advocacy Award” in 2011.
- MFY Legal Services’ “Pro Bono Partner in Justice Award” in 2010.

Credentials

EDUCATION

JD, Columbia Law School, 2006

Columbia Law Review, *James Kent Scholar*

MS, Electrical Engineering,
Johns Hopkins University, 2003

Honors, *Tau Beta Pi*

BS, Biomedical Engineering,
Johns Hopkins University, 2001

Honors, *Tau Beta Pi*

ADMISSIONS

New York

US Supreme Court

CLERKSHIPS

The Hon. William C. Bryson,
US Court of Appeals for the
Federal Circuit, 2008 - 2009

The Hon. Naomi Reice
Buchwald, US District Court
for the Southern District of
New York, 2007 - 2008

GOVERNMENT EXPERIENCE

US Patent and Trademark Office

Patent Examiner