

Stuart R. Hemphill

Of Counsel

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Stuart obtains, structures, and defends intellectual property rights—across patents, copyrights, trademarks, and trade secrets—so that technology and creative businesses capture the full value of what they build.

Stuart advises technology companies, software developers, medical device makers, and publishing and other creative businesses on the full lifecycle of intellectual property (IP) rights—from acquisition and prosecution through licensing, transactions, and disputes. Where many IP attorneys focus on a single asset type, Stuart works across patents, copyrights, trademarks, and trade secrets, giving clients a unified view of their IP portfolio.

A significant part of Stuart's practice centers on patent prosecution and strategy, including managing U.S. application filing and prosecution for domestic and international clients. He also conducts IP due diligence in mergers and acquisitions, reviewing patent portfolios and drafting representation, warranty, and IP assignment provisions for technology and software business transactions. Clients in the medical device and software sectors rely on this work to understand what they are buying—and what risks they are assuming.

Stuart's transactional work extends to licensing and other technology transfers, particularly for computer hardware and software businesses, publishing and other creative companies, and individual authors. He also advises software developers on open-source compliance, an often complex issue for companies whose products incorporate third-party code.

Stuart also advises on unfair competition matters and has taught and presented extensively on software patents, Section 101 patent eligibility, and IP issues in business acquisitions.

Education

- University of Illinois (A.B., Political Science, 1970)
 - with honors
- University of Illinois (B.S., Electrical Engineering, 1970)
 - with highest honors (Bronze Tablet)
 - Elektrotechnik study 1968-69 at Technische Universität München (exchange program)
- University of Michigan (M.A., Computer and Communication Sciences, 1972)
- University of Michigan Law School (J.D., 1975)
 - *cum laude*
 - Staff Member, University of Michigan Journal of Law Reform, 1973-1974

Select Experience

Patent Prosecution & Portfolio Management

- Managed U.S. patent application filing and prosecution for a Europe-based medical device company, coordinating patent strategy and building a U.S. patent portfolio.

IP Due Diligence & Technology Transactions

- Conducted IP due diligence for a large patent portfolio involved in a medical device acquisition, assessing portfolio strength and risk for the acquiring party.
- Performed open-source compliance analysis and network-based color management system and services specifications drafting for a major document handling systems provider to identify license and services obligations and IP and technical risk exposure.

Copyright Litigation

- *Applied Innovations, Inc. v. Regents of the University of Minnesota and National Computer Systems, Inc.*, 876 F.2d 626 (8th Cir. 1989): Served as second chair on trial team in case establishing copyright protection for the Minnesota Multiphasic Personality Inventory (MMPI), protecting the test's scale definitions, scoring data, and questions—a precedent-setting outcome for copyright protection of psychological assessment products.

Professional Affiliations

- Member, Minnesota State Bar Association, Computer Law Section
- Member, Hennepin County Bar Association
- Past Board President and Board of Directors member, Minnesota Film Center/University Film Society (1981 – 2002)
- Adjunct Professor, Copyright Law, William Mitchell (now Mitchell-Hamline) College of Law, 1976 – 1979

Accolades

- *Best Lawyers in America*®, Intellectual Property Litigation, Minneapolis, 2016-2027
- *Minnesota Monthly*, “Top Lawyers in Minnesota,” Intellectual Property and Patent Law, 2024, 2026
- *Managing IP*, IP STAR, 2013-2024, 2026

Select Presentations

- Patent Resources Group, 2.5 day seminars (with two colleagues) on Computer Software and Business Method Patents (2002-2019)
- Dorsey Partners Liz Buckingham and Stuart Hemphill Discuss IP Due Diligence in M&A Transactions, Computer Law Institute, Minnesota State Bar Association (September 29, 2017 & December 16, 2015)

Bar Admissions

- Minnesota
- United States Patent and Trademark Office