

## Chris Holly

Partner



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Washington, DC

Agricultural Sciences and Technology

Patent Counseling and Prosecution

Intellectual Property

Patent Counseling and Prosecution – Agricultural Science

Patent Counseling and Prosecution – Life Sciences

Dr. Chris Holly is a patent lawyer with experience in IP portfolio creation and counseling; early-, mid-, and late-stage fundraising diligence; targeted acquisitions; and post-grant adversarial proceedings at the USPTO. Chris counsels clients across the market spectrum, from small startup companies to billion-dollar private and publicly traded corporations.

Chris' practice focuses upon helping clients in the synthetic biology, agriculture, microbiology, and biotechnology industries create and leverage robust IP portfolios. He has vast experience in helping disruptive startup companies in these sectors carve out valuable IP space, monetize such, and position themselves for acquisition, IPO, or successful commercial launch.

Chris is a member of the Fellows of the American Bar Foundation, a global honorary society of attorneys, judges, law faculty and legal scholars. In 2021, The National Law Journal honored Chris as a "Rising Star," noted for his accomplishments in intellectual property law. Chris is also recognized as a leading patent lawyer by Chambers, with the publication stating "Chris enjoys a growing reputation for his patent prosecution work. He is regularly retained by clients in the agricultural sector in particular, for strategic IP advice." Clients praise Chris as "amazing to work with," stating that he is "extremely responsive and understands our technology and our strategy. He is very strategic and thinks outside of the box, which we always appreciate."

Chris has counseled clients in a range of technical areas, including:

- Synthetic biology
- Machine learning
- Agricultural biotechnology
- Industrial biofermentation
- CRISPR gene editing
- Recombinant host cells
- High-tech precision Ag
- Metagenomics
- HTP genomic engineering
- Next generation plant breeding
- Gene edited plants
- Traditional plant breeding

- New varieties of row crops including corn, soy, wheat, and potatoes
- Diverse fruits and vegetables
- Hemp
- Natural/organic food & beverage
- Plant-based food products
- Agricultural biologicals
- Recombinant microbes for the production of compounds of interest
- Microbiology
- Microbiome
- Nitrogen fixation technology

Chris obtained a PhD in Biological Sciences from Mississippi State University with research funded by the US Department of Agriculture and focused upon microbial and plant community dynamics in agricultural systems. Chris' research resulted in significant insights that led to the publication of several peer reviewed scientific articles. During his last year of graduate research, Chris was selected as the top PhD research associate at Mississippi State University.

Chris maintains an active interest in cutting-edge agricultural biotechnology IP law issues and has given more than a dozen invited talks at domestic and international venues, which have been sponsored by some of the sector's largest industry groups.

#### **Media Engagements**

- Farm Progress – "Tech lawyer talks plant patent protection" (April 23, 2019)
- Intellectual Property Watch – "Inside Views: Innovation and Regulation of Gene-Edited Vegetables: An Interview With IP Lawyer Chris Holly" (March 5, 2019)

#### **Legal Publications**

- Co-author – "UPOV Releases Explanatory Notes Further Defining Protection for Essentially Derived Varieties," Cooley Alert (February 2024)
- Co-author – "What's at Steak: USDA Solicits Comments on Cultured Meat Labels," Cooley Alert (October 2021)
- Co-author – "IP Protection for Vegetatively Reproduced Plants: New Paths Forward," 101 J. PAT. & TRADEMARK OFF. SOC'Y 374 (2021)
- Co-author – "EPO: Plants and Plant Materials Not Patentable if Exclusively Obtained by Essentially Biological Process," Cooley Alert (May 2020)
- Co-author – "Federal Circuit Report: Syngenta Ruling Impacts Process Patent Owners," IP Litigator, Vol. 26, No. 2, pgs. 24-27 (March / April 2020)
- Co-author – "Syngenta Confirms Section 271(g) Infringement Does Not Require Single Entity Perform All Steps of Patented Method," Cooley Alert (December 2019)
- Author – "Gene edited crops: the next generation of plant breeding innovation," IPPro (May 2019)
- Co-author – "EPO's Approach to the Patentability of Plant-Related Inventions," Cooley Alert (March 2019)
- Co-author – "Helsinn Confirms Longstanding Law Concerning 'On-Sale' Bar," Cooley Alert (January 2019)
- Co-author – "2018 Farm Bill Enacted with Important Provisions for Plant IP and Cannabis-Related Business," Cooley Alert (January 2019)

- Author – "Procuring germplasm and trait-based patents," Contributor and Panelist, Seed Innovation and Protection Alliance Newsletter (April 2017)
- Co-author – "Inside the Minds, Trends in Agriculture: GMOs and Organics", Thomson Reuters (August 2016)
- Author – "The Book of Wisdom: How to Bring a Metaphorical Flourish Into the Realm of Economic Reality by Adopting a Market Reconstruction Requirement in the Calculation of a Reasonable Royalty", 92 J. PAT. & TRADEMARK OFF. SOC'Y 156 (2010)

### **Scientific Publications**

- Co-author – "Examining local transferability of predictive species distribution models for invasive plants: An example with cogongrass (*Imperata cylindrica*)," *Invasive Plant Science and Management* (2011).
- Lead author – "Effect of an invasive grass on ambient rates of decomposition and microbial community structure: A search for causality," 11 *Biological Invasions* 1855 (2009)
- Lead author – "Effects of intraspecific seedling density, soil type, and light availability upon growth and biomass allocation in cogongrass (*Imperata cylindrica*)," *Weed Technology* (2007)
- Lead author – "Characterization and quantitative assessment of interspecific and intraspecific penetration of belowground vegetation by cogongrass (*Imperata cylindrica* (L.) Beauv.) rhizomes," *Weed Biology and Management* (2006)

### **International Speaking Engagements**

- Presenter – "Plant Patents in the US," Intellectual Property Protection for Plant Innovation 2015, 7th International Conference, Presented by the FORUM Institute, Amsterdam, Netherlands (December 3-4, 2015)

### **Domestic Speaking Engagements**

- Panelist – "Research Security and Agricultural Research and Technology," National Science, Technology, and Security Roundtable, presented by the National Academies of Sciences, Engineering, and Medicine, hosted by Texas A&M University, College Station, TX (March 07, 2024)
- Panelist – "International Intellectual Property Issues – Agricultural Technology and Seed Patents," American University Washington College of Law, Intellectual Property Symposium, Washington, DC (March 01, 2024)
- Presenter – "Inventorship vs. Authorship vs. Ownership," C2C: Concept to Commercialization Series, University of Miami, Miami, FL (March 14, 2023)
- Presenter – "IP Protection & Freedom to Operate in the Seed Business," in conjunction with the University of California, Davis, Seed Biotechnology Center course, entitled: "European Plant Breeding Academy VI," Davis, CA (June 20, 2022)
- Co-presenter – "Cannabis Patent Protection and Litigation Strategy," in conjunction with the University of California, Davis, Seed Biotechnology Center course, entitled, "Hemp Breeding and Seed Production," Davis, CA (November 2 – 4, 2021, Online Virtual Course)
- Panelist – "Domestic and Global IP Challenges Facing Universities," Seed Innovation and Protection Alliance Education Unit Seminar, Virtual Event (June 25, 2021)
- Presenter – "Emerging Technologies Seeking Patent Protection," American Seed Trade Association's Policy & Leadership Development Conference, Washington, DC (June 20-24, 2021)
- Panelist – "Putting Biologicals into Action: What Does a Pest Management Strategy Led by Biologicals Look Like?," World Agri-Tech Innovation Summit, Virtual Event (March 10, 2021)

- Co-presenter – "Cannabis Patent Protection and Litigation Strategy," in conjunction with the University of California, Davis, Seed Biotechnology Center course, entitled: "Hemp Breeding and Seed Production," Davis, CA (October 27-29, 2020, Online Virtual Course)
- Co-presenter – "America's Newest Crop: IP Protection, Product Development, and Enforcement for Hemp Innovation," Lawline Webinar (June 4, 2020)
- Presenter – "Inventorship vs. Authorship vs. Ownership," C2C: Concept to Commercialization Series, University of Miami, Miami, FL (April 27, 2020, Online Zoom Seminar)
- Presenter – "Regulatory & Technological Advancements – Catalysts for AgTech Innovation Driving a Dynamic IP Landscape," American Seed Trade Association's 59th Vegetable & Flower Seed Conference, Monterey, CA (February 1-4, 2020)
- Presenter – "Protecting New Innovation – Landscape for Gene Edited Products," American Seed Trade Association's CSS & Seed Expo Conference, Chicago, IL (December 9-12, 2019)
- Presenter – "Innovation – As New Technologies Emerge, How Does it Change the Way We Protect Them?" American Seed Trade Association's CSS & Seed Expo Conference, Chicago, IL (December 9-12, 2019)
- Co-presenter – "Cannabis Patent Protection and Litigation Strategy," in conjunction with the University of California, Davis, Seed Biotechnology Center course, entitled: "Hemp Breeding and Seed Production," Davis, CA (October 29-30, 2019)
- Presenter – "AgTech IP: Recent Trends and Developments – The Times They Are A-changin'," Sakata Seed America, Annual Research Meeting, Sacramento, CA (October 09, 2019)
- Co-presenter – "AgTech IP, Enforcement, and Litigation: A Discussion on Patent Assertion and Defense, With an Update on Ensuring Broad and Enforceable Claims," California Seed Association Mid-Year Meeting, Monterey, CA (October 08, 2019)
- Co-presenter – "Protecting Plant Innovation: Hemp, CBD & Plant IP Laws Under The 2018 Farm Bill," Lawline Webinar (May 7, 2019)
- Panelist – "Technology Showcase: Five Start-Ups Present Seven-Minute Pitches," World Agri-Tech Innovation Summit, San Francisco, CA (March 19, 2019)
- Presenter – "IP Strategies for Protecting Plant Innovation: Next Generation Breeding Technologies From Molecular Markers to Gene Editing," Seed Innovation and Protection Alliance Education Unit, in conjunction with the American Seed Trade Association's 58th Vegetable & Flower Seed Conference, Orlando, FL (February 3, 2019)
- Co-presenter – "IP Strategies for Protecting Important Plant Germplasm," Seminar Given to Official Japanese Delegation, hosted by the American Seed Trade Association, Alexandria, VA (February 2, 2017)
- Presenter – "Procuring Germplasm and Trait-Based Patents," Seed Innovation and Protection Alliance Education Unit, in conjunction with the American Seed Trade Association's 56th Vegetable & Flower Seed Conference, Orlando, FL (January 29, 2017)
- Presenter – "Patent Notice: How to Get the Word Out on Your Patents," Seed Innovation and Protection Alliance Education Unit, in conjunction with the American Seed Trade Association's 56th Vegetable & Flower Seed Conference, Orlando, FL (January 29, 2017)
- Presenter – "Exploring the Differences Between Inventorship, Authorship, and Ownership on the Road to Commercializing University Intellectual Property," 2016 C2C: Concept to Commercialization Series, University of Miami, Miami, FL (April 14, 2016)
- Co-presenter – "Patents: Monetizing Innovation," University of Central Florida, Orlando, Florida (October 13, 2015)

- Presenter – "Inventorship vs. Authorship vs. Ownership," University of Miami Life Science & Technology Park, Medical Center Campus, Miami, Florida (July 28, 2015)
- Co-presenter – "Patenting Genes, Biomarkers, and Other Natural Products in a Post-Myriad World," University of Florida Sid Martin Biotechnology Incubator, Alachua, Florida (June 11, 2014)
- Co-presenter – "Patenting Genes, Biomarkers, and Other Natural Products in a Post-Myriad World," University of Miami Life Science & Technology Park, Medical Center Campus, Miami, Florida (April 01, 2014)
- Co-presenter – "Pursuing and Circumventing Patents in a 'First to File' Regime," University of Miami, Coral Gables Campus, Miami, Florida (April 1, 2014)
- Presenter – "From Bilski to Myriad: Statutory Subject Matter Jurisprudence in the Roberts' Court," CLE Seminar Given to International Corporate Legal Team of Life Technologies, hosted at Life Technologies Corporate Office, Frederick, Maryland (July 22, 2013)
- Co-presenter – "The Supreme Court's Myriad Decision and What it Means for Your Business," Baker Donelson Webinar Series Hosted to a Live International Audience, Washington, D.C. (June 28, 2013)
- Presenter – "Claim Drafting Issues for Bio-Pharma Companies," Tennessee Intellectual Property Law Association, CLE Seminar, Nashville, TN (May 10, 2013)
- Presenter – "Ethics and the Office of Enrollment and Discipline," Tennessee Intellectual Property Law Association, CLE Seminar, Nashville, TN (May 4, 2012)
- Presenter – "Inequitable Conduct After Therasense and In Light of the New Supplemental Examination Provisions of the America Invents Act," 2012 Baker Donelson Intellectual Property Symposium, New Orleans, LA (March 20-22, 2012)

## Education

University of Mississippi School of Law  
JD, 2011

Mississippi State University  
PhD, 2008

Millsaps College  
BS, 2004

## Admissions & Credentials

District of Columbia

Mississippi

Registered to practice before the United States Patent and Trademark Office (USPTO)

Tennessee

## Court Admissions

US District Court for the Northern District of Mississippi

US District Court for the Southern District of Mississippi

US Court of Appeals for the Fifth Circuit

US Court of Appeals for the Federal Circuit

US Supreme Court

## Rankings & Accolades

Chambers USA: Intellectual Property: Patent Prosecution – District of Columbia (2021 – 2024)

Fellows of the American Bar Foundation: Elected Member

Seed World: Top Ten Next Generation Leaders

Super Lawyers: Rising Star

The National Law Journal: Rising Star

## Memberships & Affiliations

American Intellectual Property Law Association

American Seed Trade Association

Patent & Trademark Office Society

Seed Innovation and Protection Alliance