

Roger M. Masson

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He/His

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About Roger

Roger is an engineer and lawyer passionate about helping companies of all sizes navigate the regulatory maze to innovate and thrive. He focuses his practice on intellectual property (IP), handling patent, trade secret, and trademark matters, including arbitration, litigation, opinion, and prosecution.

Patent Prosecution: Roger has written and prosecuted patent applications in the United States, China, Europe, and Japan, covering alarm systems, cloud operating systems, data mining, dispensing, food and chemical processing, food products, fraud prevention, night vision, ophthalmic solutions, orthoses, and restaurant equipment.

IP Dispute Resolution: Roger represents clients in litigation and arbitration involving patents, trade secrets, copyrights, and trademarks, as well as sending and responding to cease-and-desist letters. Disputes have included chemical processing equipment, consumer goods, contact lenses, food, golf clubs, insurance, night vision equipment, specialty chemicals, and telephony.

IP Opinions: Roger advises clients on patent strategies, avoiding infringement, and licensing in artificial intelligence (AI), fine chemicals, food products, nutraceuticals, orthoses, and restaurant equipment.

Roger's Affiliations

- American Intellectual Property Law Association (AIPLA)

Areas of Focus

Industries: Cannabis ; Energy & Environment; Insurance Transactions

Services: Environmental ; Intellectual Property

Experience

- Successfully defended a confectionary manufacturer in a patent and trade dress dispute, resulting in no liability being established on summary judgment.
- Established client patent program, including educating potential inventors on patent law and invention disclosure forms for patentability searching and patent filings. Seven patent applications have been filed, three of which have been issued as patents, with the others pending.
- Successfully prosecuted patents for a natural food product for a Fortune 100 company. Highlights included defeating a post-grant opposition proceeding before the EPO and overcoming rejection by the Venezuelan patent office by writing arguments partially in Spanish, referencing the specific wording of substantive Venezuelan patent law.
- Devised an IP strategy for US manufacturer expanding to India with a new product line in R&D. In particular, (1) patent searching identified no blocking patents to the product line, (2) international trademark applications designating India have been filed, and (3) an international patent application for the product line has been filed.
- Successfully had two patent trolls dismiss their software patent lawsuits without any settlement. In the first lawsuit, effectively filed a motion to dismiss based on the asserted patent being abstract. In the second lawsuit, successfully threatened to file a motion to dismiss based on the asserted patent being abstract and a lack of factual allegations of infringement.
- Successfully prosecuted patents in the United States and the European Patent Office (EPO) for a solo inventor, obtaining broad coverage in the material sciences. The EPO successfully overcame a unity of invention rejection, allowing broad coverage to be achieved in a single patent.
- Successfully drafted and prosecuted patents for a user interface for restaurant equipment for a Fortune 150 company in the United States, Australia, Canada, China, and Japan.
- Negotiated a favorable settlement prior to filing an answer, as statutory damages were unavailable to the photographer plaintiff because the client's use of a photo began after the photo was published and before the effective date of the copyright registration.
- As second chair, achieved a multimillion-dollar award for breach of a patent license relating to optics in a complex International Chamber of Commerce arbitration seated in London between an American licensor client and a French defense contractor.
- Discovered massive spoliation of evidence in trade secrets civil litigation relating to fine chemicals. This discovery culminated in the defendant pleading guilty to four criminal counts of unauthorized possession of stolen trade secrets and agreeing to a permanent injunction and a multimillion-dollar judgment for our client.

Recognition

- DePaul University College of Law, *Intellectual Property Law Society*, Webmaster and Digest Editor

Credentials

Education

DePaul University College of Law, JD, 2004

Northwestern University, BS, 1991

Bar Admissions

Illinois

Court Admissions

US Court of Appeals for the Federal Circuit

US District Court for the District of Columbia

US District Court for the Northern District of Illinois

US District Court for the Western District of Michigan

US Patent and Trademark Office

Languages

French

Interests

Did you know...

Roger enjoys cycling, brewing, cooking, and sometimes fixing stuff.

Community/Civic Activities

- Roger volunteers at a community garden raising vegetables for a food pantry.

Thought Leadership

Presentations

- Co-Presenter, “Legal Navigation for Canadian Entrepreneurs in the US,” Hinshaw & Culbertson LLP, Ft. Lauderdale, Florida, March 25, 2025
- “Patents During a Pandemic,” State Bar of Wisconsin’s IP Protections Conference, Virtual Event, January 12, 2021

- “Brewery and Distillery Law in Illinois,” National Business Institute, Naperville, Illinois, March 21, 2017

Publications

- “[Advertising Law Crash Course for Craft Breweries](#),” *Craft Brewing Business*, August 16, 2017
- “The ‘Trump Effect’ on IP,” *Intellectual Property Magazine*, February 1, 2017

Events

- What Business and Technology Professionals Need to Know about Intellectual Property, Jan 24, 2018
- Roger Masson to Present on Intellectual Property and Advertising for Brewpubs, Breweries and Distilleries, Mar 21, 2017
- Alan Kaufman, Russell Klingaman, Roger Masson and Jane Schlicht to Present at NBI Advanced Intellectual Property Law Program, Dec 1, 2014

Hinshaw Alerts

- U.S. Supreme Court Substantially Devalues Design Patent Damages on Multicomponent Products: What Design Patent Holders Need to Know, Dec 21, 2016
- Three Recent Cases Make It Easier to Establish Liability for Multiparty Patent Infringement, Sep 2, 2015
- Supreme Court Decision Leaves Patent Law on Divided Infringement in Flux, Jun 24, 2014
- U.S. Supreme Court Liberalizes the Award of Attorney Fees in Patent Cases, May 9, 2014
- Federal Circuit Holds That Non-Practicing Entity May Obtain a Preliminary Injunction, Apr 30, 2014

In The News

- Roger Masson Authors Article on Advertising Law for Craft Breweries, Aug 22, 2017
- Hinshaw Lawyers Author Article on Trump Administration’s Impact on IP Protection, Feb 8, 2017

Press Release

- Hinshaw & Culbertson LLP Adds Comprehensive Patent Prosecution and Intellectual Property Practice from Ryndak & Suri LLP, Jan 14, 2014

Webinar

- Hinshaw Attorneys to Discuss IP Protections at State Bar of Wisconsin Conference, Jan 12, 2021