Giovanna H. Fessenden

Counsel

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HAMILTON BROOK SMITH REYNOLDS
Intellectual Property Law

PRACTICE AREAS

- Patents
- Open Source Software Counseling
- Trademarks
- Copyrights
- Licensing
- Agreements
- Design Patents
- IP Litigation
- Counseling
- Trade Secrets
- Post-Grant Proceedings
- Trademark Opposition and Cancellation Proceedings
- IP Intelligence and Audits

TECHNOLOGY AREAS

- Blockchain
- Computer Software
- Mobile
- Internet of Things
- Business Methods
- Medical Imaging
- Computer Hardware
- Robotics
- Electrical Engineering
- Mechanical Engineering
- Artificial Intelligence

Computer scientist, intellectual property attorney, and blockchain specialist with 17 years of experience in advising high tech companies and startups in software patents, software product development, software licensing, open source software licensing compliance, and intellectual property strategy. Giovanna is the executive producer of TEDx Berkshires.
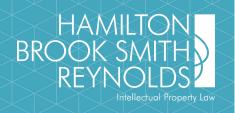
Giovanna's legal practice focuses in all areas of intellectual property law with an emphasis on blockchain, non-fungible tokens (NFTs), esports and gaming technologies, open source software compliance, wearable biometric data collection and analysis, and patents relating to the following: cryptocurrency wallets and exchanges, CryptoArt, health and wellness wearables, fashion electronics, digital currency, search engines / ad serving systems, video compression / codecs, trusted computing and encryption, analytics systems, router firmware, OVS technologies, video on demand (VOD) systems, VoIP and video conferencing systems, , social media software, database and storage systems, recommendation systems, integrated development environments (IDEs), compilers and interpreters, iPhone™, Android™ and tablet applications, CT imaging technologies, wearable computing technologies, and semi-conductor manufacturing systems.

Her areas of concentration include blockchain systems, non-fungible tokens (NFTs), wearables, open source compliance, object-oriented software, and Internet technologies. Giovanna has experience programming several programming, scripting, and modeling languages including Java, C++, C#, Perl, CGI, Lisp, C, C Music, Javascript, XML, HTML, and Unified Modeling Language (UML). Giovanna also advises clients on open source software and OpenChain compliance, open source patent issues, and developing and implementing corporate policies on use of open source software. Giovanna assists clients with positioning their IP portfolios for Initial Coin Offerings (ICOs) and for acquisition.

She has also handled patent reexamination proceedings, patent litigation, trade secret misappropriation, copyright and trade dress infringement matters, trademark opposition and cancellation proceedings, and breach of contract actions. Giovanna has prepared validity and infringement opinions, open source software compliance opinions, and software license agreements, non-fungible token (NFT) royalty agreements, technology transfer agreements, copyright publishing agreements, film production agreements, website terms of use agreements, and employee intellectual property agreements.

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EDUCATION

- Smith College, B.A. in Art History and Computer Science
- University of New Hampshire Franklin Pierce School of Law, M.A. in Intellectual Property
- University of New Hampshire Franklin Pierce School of Law, J.D.

PROFESSIONAL ASSOCIATIONS

- Berkshire Innovation Center - Serving on their Board of Directors
- Berkshire Bar Association
- Boston Patent Law Association

BAR ADMISSIONS

- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Appeals for the First Circuit
- U.S. District Court, District of Massachusetts
- U.S. Patent and Trademark Office
- Massachusetts

As a Communications Systems Analyst for the International Co-operative Alliance Organization in Geneva, Switzerland, Giovanna worked on software development, GUI and database development, application programming, server maintenance, database driven website creation and network administration. Giovanna has also worked as a Technology Consultant to the United Nations Committee for Advancement of Cooperatives in Geneva, Switzerland, where she worked in software development and animation. As a Programmer at Harvard University, she developed Java Applets and performed Flash ActionScript programming for an e-learning project.
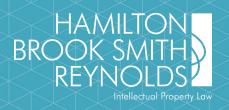
While studying for her law degree, Giovanna held an internship at the United States Copyright Office where she assisted with the promulgation of regulations concerning webcasting transmissions and the Digital Millennium Copyright Act.

In addition to working with our other clients, Giovanna helps our firm to maintain our presence in western Massachusetts and services our clients in that area. Since 2018, Giovanna has received the distinction of Best Lawyers in America® for her patent law expertise. For the past 5 years, she was also ranked by Super Lawyers®, a rating of outstanding lawyers who have attained a high-degree of peer recognition and professional achievement.

SPEAKING ENGAGEMENTS

- "Non-Fungible Tokens: A New Frontier for Brick-and-Mortar," The Berkshire Innovation Center, Pittsfield, MA, June 4, 2022
- "Rise of Crypto Currency: Crypto, Blockchain, NFTs, and Beyond," The Berkshire Innovation Center, Pittsfield, MA, March 31, 2022
- Moderator for panel discussions on Blockchain and NFTs at the Casino Esport Conference (CEC), Las Vegas, NV, March 24, 2022
- "Managing Open Source to Maximize Opportunity and Minimize Risk," UNH Franklin Pierce School of Law Reunion Weekend, October 1, 2021
- "TedX Berkshires - Ideas. Inspiration. Community. Event," Lenox, MA, Co- Organizer & Executive Producer for the Event, July 24, 2021
- "Should you get in the Game? Understanding the Economics and the Explosion in Esports & Gaming," Event Moderator, MIT Enterprise Forum, April 7, 2021

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CERTIFICATIONS

- Black Duck Certified Open Source Legal Professional

PARTNERSHIPS

- OpenChain Linux Foundation Partner

SPEAKING ENGAGEMENTS (CONTINUED)

- "Protecting Your IP from Devaluation with OpenChain Compliance," OpenChain Bi-Weekly Webinar, March 15, 2021
- "Once Upon a Time in …Medical Device and Open Source Land," MIT Enterprise Forum, Webinar, October 14, 2020
- "The Technical Revolution of Esports, Gaming, Gambling, and Blockchain," MIT Enterprise Forum, Cambridge, MA, October 29, 2019
- "The Future of Blockchain Technologies," Roundtable Discussion at the LES Annual Meeting, Phoenix, AZ, October 22, 2019
- "VC Briefing: Blockchain: 2020," New England Venture Capital Association VC Briefing, Boston, MA, September 26, 2019
- Moderator for panel discussion on blockchain and cryptocurrency, Casino Esport Conference (CEC), Las Vegas, NV, September 5, 2019
- "The Esports, Gaming and Blockchain Technology Revolution," MIT Enterprise Forum, MIT Stata Center, Cambridge, MA, November 6, 2018
- Zen, Patents, and Open Source: Balancing the Viewpoints of Licensors and Licensees," LES Annual Meeting, Boston, MA, October 16, 2018
- "IP in the Emerging Blockchain-Driven Economy," MCLE 21st Annual Intellectual Property Law Conference 2018, Boston, MA, June 14, 2018
- "Blockchain, Bitcoin, and Beyond," Boston College Technology & Entrepreneurship Council Event, Boston, MA, May 23, 2018
- "Strategies to Reap the Benefits of Software Patents in an Open Source Software Environment" Hamilton Brook Smith Reynolds Webcast, March 29, 2018
- Blockchain and Cryptocurrency Forum, Boston Bar Association, March 28, 2018
- "Bitcoin, ICOs and Blockchain in Life Sciences: Hype or Hope?" MassBio Annual Meeting, Cambridge, MA, March 21, 2018
- "Legal Considerations for Blockchain Innovations and ICOs" MIT Enterprise Forum, Cambridge Innovation Center, Cambridge, MA, January 30, 2018
- "Legal Considerations for Blockchain Innovations and ICOs" MassBio, Cambridge, MA, December 8, 2017
- "Strategies to Reap the Benefits of Software Patents in an Open Source Software Environment" 2017 Black Duck FLIGHT Conference, Boston, MA, November 8, 2017
- "Law for ICOs and Blockchain," Meetup at Alley, Cambridge, MA, October 24, 2017

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SPEAKING ENGAGEMENTS (CONTINUED)

- "Strategies for Commercial Software Developers Using Open Source Code in Proprietary Software," Hamilton Brook Smith Reynolds Webcast, October 4, 2016
- "Blockchain Revolution," TEDx Berkshires, Stockbridge, MA, June 13, 2016
- "Blockchain Innovations are Changing the Digital World," Hamilton Brook Smith Reynolds Webcast, March 30, 2016
- TEDx Berkshires, Stockbridge, MA, November 2015
- "Strategies for Maximizing Value of Intellectual Property," 1Berkshire Entrepreneurial Meetup, Stockbridge, MA, September 17, 2015
- "Strategies for Managing Open Source Software," Hamilton Brook Smith Reynolds Lecture, Cambridge, MA, May 20, 2015
- "Software: To Patent or Not To? Algorithms and Automation as Patentable Subject Matter", Hamilton Brook Smith Reynolds Lecture, Waltham, MA, November 8, 2012

ARTICLES

- Open Source Software Solutions (Part 3): Educating your Employees about Open Source Software Issues, Hamilton Brook Smith Reynolds, December 2, 2016
- Open Source Software Solutions (Part 2): Understanding Open Source Software License Trigger Points and Resulting Obligations, Hamilton Brook Smith Reynolds, October 28, 2016
- Open Source Software Solutions (Part 1): Getting to Know the Open Source Software in Your Products, Hamilton Brook Smith Reynolds, October 4, 2016
- Peer-to-Peer Technology: Analysis of Contributory Infringement and Fair Use, IDEA, May 2002

IP NEWS ALERTS

- Web3 Blockchain Domain Names: A New Frontier for Trademark Protection, April 15, 2022
- Epic Games' Battle Royale with Apple - Epic Games, Inc. v. Apple, Inc., September 16, 2021