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David P. Sheldon

Member

Chair of Patent Practice Group

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David Sheldon's strong background in computer science and technical experience in software engineering help him assist his clients with patent drafting, prosecution, and counseling for software-related inventions. David's experience includes drafting patents for various complex technologies, including machine learning/artificial intelligence, autonomous vehicle control systems, bioinformatics, and medical devices. David frequently helps his clients navigate the complicated issues surrounding the eligibility of software for patent protection and also advises his clients on other vital intellectual property issues relating to software products, including open-source licensing and developing comprehensive strategies for protection of software using copyright, trademarks, design patents, and trade secrets to supplement utility patent protection.

Within COJK, David serves as chair of the patent practice group. David also leads the firm's artificial intelligence committee, which is exploring the use of artificial intelligence tools to improve the efficiency of delivering legal services while maintaining client confidences and other professional responsibilities.

David is recognized in Intellectual Asset Management's guide, *IAM Patent 1000 — The World's Leading Patent Professionals* and is named to the list of *The Best Lawyers in America* for his work in patent law. Prior to joining COJK, David worked in various computing-related roles, including designing and coding software testing utilities for Microsoft.

Education

- J.D., *Order of the Coif*, UCLA School of Law, 2007
- B.S., Computer Science, *cum laude*, Northwestern University, 1999

Professional Experience

- Christensen O'Connor Johnson Kindness^{PLLC}
Seattle, WA, 2006 - present

Technical Experience

- Software Design Engineer/Test - Assistance Platform
Microsoft Corporation, 2002 - 2004
- Software Test Engineer - Exchange QFE
Microsoft Corporation, 1999 - 2002
- Programmer/Webmaster
E-insure Services, Inc., 1997 - 1999
- PC Specialist
Encyclopedia Britannica, Inc., 1995 - 1996



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Bar & Court Admissions

- Washington State Bar
- United States Patent and Trademark Office

Professional Affiliations

- Washington State Bar Association
- Washington State Patent Law Association

Presentations & Publications

Presentations

- "Ethical Considerations for Use of AI in Patent Practice," Washington State Patent Law Association; panelist (Redmond, WA, January 2025).
- "The Intersection of Artificial Intelligence and Patent Law," University Counsel CLE Seminar, hosted by Richards Buell Sutton LLP; co-presenter (Vancouver, BC, October 2024).
- "Timely Topics in IP Law: NFTs," Washington State Bar Association; panelist (Seattle, WA, September 2021).
- "NFTs: Why? NO REALLY, Why?" Presentation to the Association of Corporate Counsel of Washington; panelist (Seattle, WA, May 2021).
- "Legal Issues and Intellectual Property," WE-REACH Biomedical Innovation Bootcamp; panelist (Seattle, WA, February 2020).
- "Patentability and Freedom-to-Operate Opinions," National Association of Patent Practitioners, Annual Meeting & Conference (Seattle, WA, July 2019).
- "What to Expect During Patent Prosecution," University of Washington, Global Innovation Exchange (Seattle, WA, August 2018).
- "AI and the Impact on the Delivery of Legal Services," Center for Advanced Study and Research on Innovation Policy, 2018 CASRIP Summer Institute; moderator (Seattle, WA, July 2018).
- "Overview of U.S. Intellectual Property Law," Center for Advanced Study and Research on Innovation Policy, 2018 CASRIP Summer Institute (Seattle, WA, July 2018).
- "Recent Developments in Software Patent Law: Do recent court decisions signal a software patent resurgence?" Christensen O'Connor Johnson Kindness (Seattle, WA, June 2018).
- "Software and computer-implemented inventions: Patenting strategies and possibilities," Federation of Icelandic Patent Professionals and the Association on Industrial Intellectual Property Rights (Reykjavik, Iceland, September 2017).
- "Intellectual Property: From Fundamentals to Enforcement," Seattle University School of Law, Summer Practice Academy (Seattle, WA, July 2017).
- "Appeals in the U.S. Patent Office," Center for Advanced Study and Research on Innovation Policy, Patent and IP Law Summer Institute (Seattle, WA, July 2015, 2016, and 2017).
- "What You Need to Know about the Patentability of Software," Christensen O'Connor Johnson Kindness (Seattle, WA, November 2016).



- “Techniques for IP Valuation and How Recent Changes in U.S. Law Affect Valuations,” Licensing Executives Society, Vancouver Chapter (Vancouver, B.C., May 2016).
- “IP Value – Techniques, Recent Court Decisions, and the Impact of Proposed USPTO Changes,” Licensing Executives Society, Seattle Chapter (Seattle, WA, January 2016).
- “How Recent Case Law and Post-Grant Challenges Affect Patent Valuation,” Licensing Executives Society, Vancouver Chapter (Vancouver, B.C., June 2015).
- “Protecting Your Intellectual Property - Patents: Theory into Practice,” Christensen O’Connor Johnson Kindness (Seattle, WA, November 2014).
- “Do You Know Who’s Looking at Your Confidential Information?” Christensen O’Connor Johnson Kindness (Seattle, WA, July 2013).
- “Protecting Your Intellectual Property - Patent Law Fundamentals,” Northwest Entrepreneur Network (Seattle, WA, March 2010 and 2011, July 2012 and 2013).
- “The *Bilski* Decision: Analysis and Discussion,” Licensing Executives Society (Vancouver, B.C., July 2010).

Publications

- “The ABCs of NFTs,” Washington State Bar Association *Bar News*, Vol. 75, No. 5, pp. 32 -36, June 2021, Sheldon, D.P., Vandsburger, L.
- Quote, “Lawyers Weigh In On High Court’s Software Patent Ruling,” *Law360*, June 19, 2014.
- Comment, “Claiming Ownership, but Getting Owned: Contractual Limitations on Asserting Property Interests in Virtual Goods,” *UCLA Law Review*, Vol. 54, Issue 3, p. 751, 2007.