

Randall “Randy” K. McCarthy

Shareholder

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Randy McCarthy is a registered U.S. patent attorney who practices in all areas of intellectual property law prosecution, litigation and counseling. His expertise includes development and management of client IP assets, licensing, IP strategy formulation and portfolio valuation. Mr. McCarthy focuses on patent prosecution in a number of high tech areas with special emphasis on machine learning (artificial intelligence) systems, data storage systems (magnetic, optical, and solid state), computer hardware, software and communications networks, control systems, communication channels, and a variety of complex mechanical arts. Mr. McCarthy has an extensive administrative appeal practice, and currently coordinates several hundred domestic and foreign patent and trademark matters.

In addition, Randy has provided outstanding representation to myriad clients, including:

- In re Morris, 127 F.3d 1048, 44 USPQ2d 1023 (Fed. Cir. 1997) (USPTO applies the “broadest reasonable interpretation” to claim language consistent with definitions provided in the written description); cited by USPTO MPEP 2111.

Practices

Intellectual Property

- Copyrights
- Intellectual Property Due Diligence
- Intellectual Property Litigation
- Patent Prosecution & Litigation
- Trademarks

Fraternity & Sorority Law

Healthcare

- Healthcare Transactions

Education

- Oklahoma City University School of Law (J.D., *summa cum laude*, 1995)
- University of Oklahoma (B.S.E.E., 1987)

Admissions

- Oklahoma (1995)
- U.S. District Court for the Western District of Oklahoma
- U.S. Court of Appeals for the Federal Circuit
- Registered Patent Attorney licensed to practice before U.S. Patent and Trademark Office (USPTO)

Experience

- 2012-Present Hall Estill
- Fellers Snider

Honors & Awards

- Recognized as Best Lawyers' Oklahoma City Lawyer of the Year Trademark Law in 2025
- Recognized as Best Lawyers' Oklahoma City Lawyer of the Year in Patent Law in 2014, 2021, 2023, 2026 and 2027
- Recognized as a 2023 Patent Star by IPStars from Managing IP
- Recognized as Best Lawyers' Oklahoma City Lawyer of the Year in Copyrights and Trademark Law in 2021
- Recognized as Best Lawyers' Oklahoma City Lawyer of the Year in Trade Secrets Law in 2020
- Recognized as Best Lawyers' Oklahoma City Lawyer of the Year in Litigation-Patent Law in 2018
- Recognized as Best Lawyers' Oklahoma City Lawyer of the Year in Copyright Law in 2013
- Recognized as a Band 1 attorney in Intellectual Property Law by Chambers USA
- Recognized as a Best Lawyer in America in Copyright Law, Litigation-Intellectual Property, Patent Law and Trademark Law
- Recognized as a Super Lawyer in Oklahoma in Intellectual Property Law

Community & Professional Involvement

- American Bar Association
- Oklahoma Bar Association (President 1999-2000 Intellectual Property Law Section)

- American Intellectual Property Law Association
- Phi Delta Phi

Articles & Presentations

- AI, IP and human agency: the real significance of Thaler, The Patent Lawyer August 2023
- AI Systems Versus Copyright Protection: Exactly Where Should We Draw the Lines?, The Patent Lawyer, July 2023
- Synthesis versus Innovation: A Practical Guide to protecting IP When Using AI Technology, IP Watchdog
- Copyright Termination: The Coming Storm; The Journal Record, December 2011
- Copyright Termination (Or Why the Mayans Were Off by 11 Days) – Oklahoma Bar Association Continuing Legal Education, June 2011
- Patent Prosecution Strategies – Overcoming Restriction Requirements – Oklahoma Bar Association Continuing Legal Education, June 2008
- Trademark Law and the Internet; Is it a Tangled Web We Weave, or are We Overhyping Hyperspace? - Oklahoma Bar Association Continuing Legal Education Computer Law Series, March 2001
- Trade Secret Law: Can Oklahoma Employers Use the Doctrine of Inevitable Disclosure to Temporarily Enjoin Competition from Former Employers? 70 Okl. B.J. 1724 (1999)
- Co-Author, Intellectual Property Litigation: Are Oklahoma Courts Missing the Mark(man)? 69 Okl. B.J. 792 (1998)