

Obama Nominates Openly Gay Lawyer for Patent Appeals Court

President **Barack Obama** on Thursday nominated an openly gay attorney to serve on the U.S. appeals court for patent cases, after a previous gay nominee for that court stalled.

Todd Hughes, a lawyer in the Department of Justice's civil division, was nominated for the Federal U.S. Circuit Court of Appeals. He would be the first openly gay circuit judge in the country if confirmed.

The Federal Circuit hears patent appeals from around the country, including high stakes cases like Apple Inc's smartphone battle against Samsung Electronics Co Ltd. Its docket also includes trademark cases and some claims against the federal government.

The administration previously nominated Edward DuMont for the Federal Circuit in 2010. He would have been the first openly gay circuit judge had he been confirmed. However, the U.S. Senate Judiciary Committee did not hold a hearing and DuMont ultimately withdrew, saying some Republican committee members opposed his bid. DuMont did not identify those senators.

Justice Department representatives referred questions about the Hughes nomination to the White House. Obama also nominated U.S. Patent and Trademark Office attorney Raymond Chen for the Federal Circuit on Thursday, and in a statement Obama said both Hughes and Chen have displayed "exceptional dedication" to public service.

Hughes has specialized in federal personnel matters, veterans' benefits and international trade. Chen argued numerous cases at the Federal Circuit defending the USPTO's decisions,

according to the office's website.

Representatives of the USPTO declined to comment.

The Federal Circuit is a crucial tribunal for high stakes intellectual property battles. Another Obama nominee for the court—Richard Taranto, an attorney in private practice—was approved by the Senate Judiciary Committee on Thursday. If the U.S. Senate approves all three nominees, the Federal Circuit would have its full complement of 12 active judges.

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