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### STAR ATTRACTION

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Albert Dotson Jr. transforms  
Miami landscapes—  
and kids' lives

### PATENT PRO

Who is this  
Gregory Mayback,  
a rocket scientist?  
Actually, yes



## contents

June 2010 · [superlawyers.com](http://superlawyers.com)

### features

#### 5 | The Plain Talker

Robert Josefsberg will do battle  
for almost anyone in distress.  
BY STAN SINBERG

#### 8 | Star Attraction

How a package of golf balls brought  
Mike Ossi and John Travolta together.  
BY G.K. SHARMAN

#### 10 | Gregory Mayback's Intellectual Adventures

Who is this guy, a rocket scientist?  
As a matter of fact, yes.  
BY G.K. SHARMAN

#### 12 | Brilliant Careers

They don't call her "The Skirt" anymore. Personal injury lawyer  
Dianne Weaver has won nearly twenty \$1 million-plus verdicts.  
INTERVIEW BY BETH TAYLOR



THOMSON REUTERS

# GREGORY MAYBACK'S Intellectual Adventures

Who is this guy, a rocket scientist? As a matter of fact, yes

by G.K. SHARMAN

photography by LARRY MARCUS

On the wall of Gregory Mayback's office, where attorneys often display their honors and awards, two 6-foot poles resembling buggy whips are arranged in a big X. They are surrounded at intervals by smaller devices that resemble, to the unfamiliar observer, a cross between sci-fi laser weapons and caulk guns on steroids.

Behind the door in the eclectic office is a black-and-red motocross outfit, the kind with built-in protection for the spine and kidneys. A row of Scotch bottles sits in the glass-front bookcase.

Mayback, a patent attorney at Mayback & Hoffman in Cooper City, carefully removes one of the poles from his wall. A delivery system for installing stent grafts, the device—unlike earlier versions—has an extremely flexible tip that makes the procedure much safer. The physician holds this end, Mayback explains in an impromptu demonstration, and inserts the tip into a small incision, guiding it carefully through the blood vessels toward the heart.

Mayback guided the invention through the patenting process for its first five years.

Other client brainstorms that Mayback has worked on include improvements in cardiac catheterization, arthroscopic knee surgery, even stomach-stapling.

A bona fide rocket scientist who once worked on Star Wars missile research, Mayback has parlayed his passion for engineering into a legal super-specialty: patent law and intellectual property.

In a field that calls for extreme attention to detail, Mayback is known for dotting every I, crossing every T, and sustaining a high level of thoroughness during the often years-long process of earning a patent.

"There are very, very few guys at the pinnacle of intellectual property law in South Florida, and Greg is one of them," says Miami criminal defense attorney Milton Hirsch. He once referred his son-in-law, an orthopedic surgeon, to Mayback when the surgeon thought he had a marketable medical invention.

He didn't, and that's not unusual. A common misconception is that patents are for new, exciting, never-before-imagined items. Maybe in the past. But not these days.

"Most inventions are not like Alexander Graham Bell inventing the telephone," Mayback says. "Who ever heard of a telephone back then?"

The majority of patents today build on what already exists, some tiny improvement to an existing device or process. Being



Mayback once worked on Star Wars missile research.

## GREGORY MAYBACK

- ▶ Founding partner, Mayback & Hoffman
- ▶ Fourth consecutive year on the *Florida Super Lawyers* list
- ▶ Past president, Intellectual Property Law Association of Florida, 2000-2001
- ▶ Has filed or worked on nearly 1,200 patents

able to distinguish what's worthy of a patent is a large part of Mayback's job, and part of the reason why patent attorneys are an exclusive group.

First, they need a scientific or technical background so they can understand a client's invention. That usually means a bachelor's degree or higher in a specialty such as engineering, biology, computer science or physics. Then they have to pass what Mayback calls one of the toughest tests administered by the government—the USPTO registration exam, commonly known as the patent bar.

Non-lawyers who pass the test are patent agents, capable of handling most of the patent process but not allowed to give legal advice or represent clients in court. Those admitted to a state bar become patent attorneys.

There are fewer than 30,000 patent attorneys in the nation, according to the latest figures. Another way to look at the numbers is to take a historical perspective: The U.S. Patent Office started keeping track of patent attorneys back in the early 1800s, handing out the number 1 to the first guy to qualify. Mayback passed the patent bar in 1996 and is number 40,719. His newest associate is number 62,095.

Mayback loves electronics and originally envisioned a career in biomedical engineering, but was worried about earning straight As to go to med school. He switched to electrical engineering at Vanderbilt—and graduated with honors. Like many engineering geeks who were around in the early computer days, he has a penchant for *Star Trek* (favorite character: Capt. Picard). After graduation, he put his knowledge to use for two U.S. government missile-defense contractors. Law school came later; he graduated from the University of Miami in 1992.

After several years at larger firms, including heading up the patent department at an intellectual property firm in Miami, he opened his own office.

The first patent he worked on, back in the 1990s, was for a mast deflector on a windsurfer. Since then, he has filed or worked on nearly 1,200 patents. Mayback & Hoffman represents both plaintiffs and defendants on issues relating to patents, trademarks, copyrights, trade secrets and intellectual property rights and boasts a client list that stretches from the U.S. to Europe, China, South Africa and beyond.

His partner in law is his partner in life: his wife, Catherine Hoffman. He handles the patents, she's the expert in trademarks, and together they are the parents of twin teenage daughters.

"We have very defined job roles," he says. Even their offices are in completely different parts of the workspace—which is located far from the Fort Lauderdale legal hustle.

Because patent work involves the federal courts, Mayback and Hoffman have no need to be near the main courthouse downtown, and it's a perk they use to full advantage. Their office is more than 10 miles from downtown, near a Thai restaurant that's a staff favorite for lunch. Dress code is casual, with nary a tie or pair of pantyhose in sight. Annie, their 5-year-old Wheaten terrier, comes to work with them each day and is welcome in everybody's office.

"She makes people smile," he says, "and that's kind of what we want to have around here."

Another difference: everyone who works on a patent application gets his or her name on it. In many firms, only the partner's name is mentioned.

"It's only fair to allow someone who participated to get credit," he says.

Behind the sharp mind is a guy who just gets along with everyone, says Devand Sukhdeo. A partner at the workplace law firm of Jackson Lewis, Sukhdeo has referred clients to Mayback and does so gladly.

What he does, Sukhdeo says, "is so dadgum technical, it makes my head hurt. It's not the kind of law I practice."

But drop him into any situation, Sukhdeo says, "and he ends up being your buddy. He fits into whatever situation he's in."

Like the time he met the head of the Scotch Malt Whisky Society of America. Based in Sunrise, the group consists of connoisseurs who favor whisky taken straight from the cask—and they don't have a lot of patience for beginners and wannabes.

Mayback didn't have much experience with Scotch at the time. He tried it only because wine has too many calories and the bottles aren't resealable. Yet he charmed the guy, who ended up breaking out the good stuff, Sukhdeo says. Mayback's a member now, and has also formed a more casual whisky-appreciation group with his friends.

Not long ago, some of those friends went on a pilgrimage to Islay (pronounced Eye-la), a tiny Scottish town with more sheep than people and a reputation for some of the finest Scotch whisky in the world.

They hired a driver to take them around, and pretty soon everybody started bonding over Scotch that Sukhdeo recalled "would pretty much set your face on fire."

It was that way everywhere they went, Sukhdeo recalls. "Everybody on the island knew each other, and after four or five days, they knew us."

But, as at work, Mayback was one step ahead of everybody else. He had brought an empty box with him, Sukhdeo recalls—just a plain box he had scavenged behind a supermarket in Florida. The guys all razzed him for it—until it was time to pack up their whisky purchases to go home.

"He thinks of everything ahead of time," Sukhdeo says. "He was the genius of the trip."

Mayback's other passion is motocross. He bought his first bike with \$300 he earned working for his grandfather in the garment industry in New York City. It was a challenge in more ways than one.

"I lived in my grandfather's apartment in New York for the whole summer and slept in the living room on the floor or on the couch," he says. "I was with my two younger brothers and the couch only fit two of us, so, we had to rotate each day."

Mayback's not a kid anymore, but he can still flip the bikes over with the best of them, says Sukhdeo, who thinks his motocross outfit "makes him look like a Power Ranger."

But it's his work, not the hobbies or the easy-going personality, that make Mayback stand out in a crowd. Anybody can be a nice guy, Hirsch maintains, but earning respect is about doing the work and being exceptional at it.

As Hirsch says, "Once you've said he's at the top of his field, what the hell else is there to say?" ◀

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