

Tuesday, June 17, 2003



## Program Offers Pro Bono Patent Filings

BY LEIGH JONES

Philip Braginsky was in a quandary. For years, he felt a pull to contribute pro bono time to people in need, but as a patent attorney, his legal skills had become honed so specifically that his options were limited.

"In patents, it's troubling," said the 38-year-old senior associate with Scully, Scott, Murphy & Presser in Garden City. "It's a very commercial



NYLJ PHOTO/RICK KOPSTEIN

Philip Braginsky of Scully, Scott, Murphy & Presser

*In all, the project will take about 30 hours of pro bono time and the firm will pay for all filing fees and other costs. It's a way to support the university and to help children,' Mr. Braginsky said.*

practice that leaves little opportunity for pro bono work in that area of expertise."

But when he attended a fund-raising event at Stony Brook University last year for the school's on-campus day care center, he hit upon a notion. He was impressed with the university's plans for the day care center, and he was equally impressed with Assistive Play

Technologies, a nonprofit technology firm created to help disabled children. Assistive Play Technologies is funded by employees of The Collaborative Group, another technology firm that serves as the anchor tenant within the university's incubator.

At the same time, he knew that each year the school conducted a competition among its mechanical engineering undergraduate students to see who could come up with the best design for a disabled child's assistive device.

The ideas converged, and what resulted was the Scully, Scott, Murphy & Presser Innovation Award, which the 30-member firm now plans to bestow annually upon students who devise a winning design and prototype for helping severely disabled children.

As part of the award, Mr. Braginsky and other attorneys with the firm, including Steven Fischman, file and prosecute a patent application for the best project and coordinate its efforts with the Stony Brook University Office of Technology Licensing and Assistive Play Technologies.

Receiving the inaugural award last month were Richard Fenwick and Greg Gunther for their invention of the Airtherapy Chair. Competing with three other teams, the two students created a unique wheelchair with air cells in the seat and back that the user can inflate or deflate to ease pressure points. The chair also reclines for more comfort.

So far, Scully Scott has applied for the chair's provisional patent, which the firm will work to convert to a permanent patent within the next year. The university will retain the rights to the design.

In all, the project will take about 30 hours of pro bono time and the firm will pay for all filing fees and other costs.

"It's a way to support the university and to help children," Mr. Braginsky said.

John L. Buonora, the immediate past managing director of the Suffolk County Bar Pro Bono Foundation, said he is sympathetic to Mr. Braginsky's concerns about finding an appropriate pro bono avenue for his specialized legal skills. Even so, he said bright lawyers, like patent attorneys and others, can adapt their talents to a



Stony Brook University mechanical engineering students Greg Gunther, left, and Richard Fenwick, right, with Steven Fischman, center, of Scully, Scott, Murphy & Presser, with the Airtherapy Chair.

variety of pro bono opportunities.

"You don't want to learn on the job, but I always felt that good lawyers can learn to do things that they don't do all the time," he said.

Mr. Buonora added that he learned a valuable lesson early in his 37-year legal career: "The most dangerous adversary is a good lawyer who doesn't do what you do every day."

This article is reprinted with permission from the June 17, 2003 edition of the NEW YORK LAW JOURNAL. © 2003 ALM Properties, Inc. All rights reserved. Further duplication without permission is prohibited. For information, contact American Lawyer Media, Reprint Department at 800-888-8300 x6111. #070-09-03-0005



**SCULLY SCOTT MURPHY & PRESSER PC**  
SECURING INGENUITY™  
www.ssmc.com

400 Garden City Plaza  
Garden City, New York 11530  
Telephone: (516) 742-4343