IceMiller

Fabian M. Koenigbauer

Partner

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Clients turn to Fabian Koenigbauer because he brings a rare combination of prosecution capability, litigation skill, technical depth, and business-driven judgment to their most significant intellectual property challenges. He provides practical, commercially focused guidance across a broad spectrum of IP matters, supporting major commercial projects and strategic initiatives at the intersection of technology, regulation, and market strategy.

Fabian helps innovative companies protect and maximize the value of their intellectual property assets before the U.S. Patent and Trademark Office (USPTO) and numerous foreign patent offices. His work covers a wide range of technologies, including consumer healthcare products, medical devices, industrial equipment, semiconductor manufacturing, polymers, and agrochemicals, with a particular emphasis on the life sciences sector. He manages large global patent portfolios across more than 60 jurisdictions and serves as de facto IP counsel for companies without in-house IP teams.

Fabian also represents clients in high-stakes patent disputes before U.S. district courts, the Patent Trial and Appeal Board (PTAB), the International Trade Commission (ITC), and appellate courts. His litigation experience spans the full life cycle of disputes, including pre-litigation investigations, discovery, trials, post-grant proceedings, and appeals, and includes enforcing and defending patents in parallel U.S. and foreign actions. He regularly advises on freedom-to-operate analyses, infringement and validity opinions, as well as litigation-driven portfolio strategy.

His practice also includes developing and executing patent strategies for FDA-approved and late-stage drug products, extending exclusivity through follow-on patents covering formulations, dosing regimens, and other innovations. Fabian regularly advises on patent term adjustments, regulatory exclusivities, and Hatch-Waxman issues.

In addition to litigation and prosecution, Fabian is a trusted guide to life sciences companies navigating complex licensing agreements and strategic collaborations. He helps clients structure and negotiate IP-focused provisions in research partnerships, technology transfers, and commercialization agreements, ensuring alignment between IP strategy, regulatory pathways, and long-term business goals.

Services & Industries

- Intellectual Property
- Intellectual Property: Protecting Agriculture's Assets
- IP Litigation
- Life Sciences & Biotechnology
- Litigation
- Patents

Known for his ability to integrate litigation risk, transactional strategy, and scientific complexity, Fabian delivers pragmatic, business-aligned counsel to companies seeking to innovate, collaborate, and compete in highly regulated and IP-intensive markets.

Education

- University of Victoria (B.S., 2000)
  - Biochemistry
- Johns Hopkins University (M.S., 2005)
  - Biotechnology
- University of New Hampshire School of Law (J.D., 2003)
- University of New Hampshire School of Law (LL.M., 2003)
  - Intellectual Property

Admissions

- District of Columbia
- New York
- United States Court of Appeals - District of Columbia Circuit
- United States Court of Appeals - Federal Circuit
- United States Patent and Trademark Office

Professional Affiliations

- District of Columbia Bar Association

Awards & Honors

- Washington, D.C. *Super Lawyers* "Rising Star", 2017

Languages

- German

Success Stories

Ice Miller Helps TippingPoint Biosciences Raise $4.5 Million Seed Financing to Advance Epigenetic Drug Discovery in Pediatric Brain Cancer
Ice Miller client TippingPoint Biosciences has announced the closing of an oversubscribed $4.5 million seed financing to advance its platform targeting disease-specific epigenetic protein interfaces. The Ice Miller team led by partners Mai Zymaris and Fabian Koenigbauer served as TippingPoint Biosciences' intellectual property transactions counsel.

The round was led by SOSV and LKS Fund, with participation from Sazze Partners, Freeflow Ventures, StoryHouse Ventures, Sontag Innovation Fund, American Cancer Society BrightEdge, XEIA, and WeCAN. The financing will support the continued development of TippingPoint's drug discovery platform, which is designed to recreate disease specific chromatin environments and identify highly selective biological targets.

Co-founded and led by Laura Hsieh, Ph.D., and Geeta Narlikar, Ph.D., the company is pursuing a differentiated approach to addressing challenges that have historically limited epigenetic therapies—particularly the difficulty of targeting mechanisms unique to diseased cells without affecting healthy tissue.

TippingPoint's initial focus is Diffuse Intrinsic Pontine Glioma (DIPG), an aggressive pediatric brainstem tumor with limited treatment options. The seed financing is expected to support proof-of-concept studies in DIPG models, while also enabling expansion of the company's broader platform into additional disease areas driven by chromatin dysfunction.

Ice Miller's Life Sciences practice group has extensive experience working with biotechnology companies to help them with seed-stage funding, intellectual property procurement and counseling, and licensing and strategic alliances. If you need guidance on any life sciences matter, our team is here to help.

Ice Miller Helps Client Secure a Strategic Collaboration with Johnson & Johnson
Ice Miller's South Korea-based client Prazer Therapeutics Inc. (Prazer) has entered into a strategic collaboration and license agreement with Johnson & Johnson (J&J) to advance the discovery of novel therapeutics for neurodegenerative diseases. This partnership follows Prazer's Series B financing led earlier this year by J&J, through its corporate venture capital organization, Johnson & Johnson Innovation (JJDC, Inc.).

Prazer is a biotechnology company developing orally available, brain-penetrant targeted protein degraders with a novel approach to targeted protein degradation (TPD). Their proprietary SPiDEM™ platform is engineered to identify new degradation mechanisms and address limitations associated with traditional bivalent and monovalent protein degraders. This new collaboration with J&J will help Prazer leverage their innovation platform and advance targeted protein degradation to accelerate the discovery of new potential TPD medicines for patients.

The Ice Miller deal team was led by Business group partner TaeSoo Sean Kim and included partner Mai Zymaris and law clerk Kelly Xia (not yet admitted to practice in any jurisdiction). Intellectual Property partners Fabian Koenigbauer and Robert Keeler also provided key assistance. Further assistance was provided by associate Brigid Sharek.

Ice Miller's Life Sciences practice group has extensive experience working with biotechnology companies to help them with seed-stage funding, intellectual property procurement and counseling, and licensing and strategic alliances.

Ice Miller Helps Colossal Biosciences Secure $200 Million in Series C Financing to "De-Extinct" the Woolly Mammoth, Thylacine, and Dodo
Ice Miller served as co-counsel in the representation of client Colossal Biosciences, a leading-edge genetic engineering company, in the announcement of its $200 million Series C financing by TWG Global, a diversified holding company with operating businesses and investments in technology/AI, financial services, private lending and sports and media. Colossal will leverage this latest infusion of capital to continue to advance its genetic engineering technologies while pioneering new revolutionary software, wetware and hardware solutions, which have applications beyond de-extinction including species preservation and human healthcare. Since launching in September 2021, Colossal has raised $435M in total funding. This latest round of capital places the company at a $10.2 billion valuation. The Ice Miller team was led by TaeSoo Sean Kim, with support from Dann Bruno, Josh Borean, and Simone Park. Intellectual Property counsel was provided by Fabian Koenigbauer and Andrew Baraniak.

To learn more about this novel and impactful endeavor, please review Colossal's press release, which goes into great detail regarding its strides in the scientific breakthroughs toward "de-extinction," or bringing back extinct species like the woolly mammoth, thylacine and the dodo.

As noted in Colossal's release, "This funding will grow our team, support new technology development, expand our de-extinction species list, while continuing to allow us to carry forth our mission to make extinction a thing of the past."

Ice Miller Client Schrödinger Enters into License and Collaboration Agreement with Novartis
Ice Miller client Schrödinger, Inc. (NASDAQ: SDGR) today announced a research collaboration and license agreement with Novartis to advance multiple development candidates into Novartis's portfolio for further development. The companies also

announced an expanded three-year software agreement that substantially increases Novartis's access to Schrödinger's computational predictive modeling technology and enterprise informatics platform.

The full press release can be found here.

As part of the agreement, Schrödinger will receive $150 million upfront payment, with eligibility to receive up to approximately $2.3 billion in milestone payments plus royalties on each product commercialized by Novartis.

Ice Miller's rapidly growing Life Sciences team has been counseling Schrödinger since 2022 and continues to support the company in their growth utilizing its computational predictive modeling technology for drug discovery. The Ice Miller deal team was led by Business Group Partner TaeSoo Sean Kim and included Mai Zymaris and Simone Park, with additional deal support from Nancy Kartos and Xuan Feng. Specialist support was provided by Anthony Aaron (Regulatory/Antitrust), Grace Dahm (Regulatory/Antitrust), Daniel Corsaro (Tax), Pierce Han (SEC/Capital Markets), Fabian Koenigbauer (IP), and Ethan Rii (Healthcare).

Ice Miller Supports Client on "Colossal" Biosciences Advancement

A recent scientific breakthrough by an Ice Miller client has garnered headlines and captured the public's imagination. Colossal Biosciences (Colossal), the world's first de-extinction company, based in Texas, has pushed science a giant step forward through their success in creating a global-first iPSC (induced pluripotent stem cells) from Asian elephant, the closest living cousin of the now extinct wooly mammoth. These iPSC cells can be edited to give mammoth-like traits and allow for the creation of eggs, sperm, and embryos that could then be implanted into an artificial womb to generate an animal. This iPSC advancement could also ultimately help scientists understand Asian elephant's resistance to cancer and could provide deeper insight into the biology of the pachyderm—with a goal of one day creating a species resembling the wooly mammoth.

Founded in 2021, Colossal is primarily focused on conservation efforts and de-extinction, a process of gene engineering technology that rebuilds and reintroduces the DNA of extinct animals once inhabiting the earth. Through this work, Colossal is heavily involved in environmental research and sustainability, driven toward reintroducing and reinvigorating a lost ancestry and climate into our biosphere.

Ice Miller's equally dedicated team has supported Colossal with its patent prosecution and counseling work since 2022, including filing patent applications for technologies leading to the iPSC breakthrough.

Ice Miller Partner TaeSoo Sean Kim spearheads the Life Sciences Patent Prosecution and IP Licensing team that represents Colossal, with Partner Fabian Koenigbauer and Senior Patent Agent Andrew Baraniak serving as co-leads on the efforts. The client team is further supported by Weihong Hsing, Safet Metjahic, Jacqueline Lesser, and Michael Graham.

Published In

- "A closer look at the PTAB's ongoing Orange Book and Biologics patent study," *Thomson Reuters Westlaw Today,* February 24, 2022
- "A Brief Overview of the USPTO's Interim Procedures Implementing Arthrex," *IP Intelligence,* June 29, 2021
- "The USPTO Harmonizes the Indefiniteness Standard Used for AIA Trials Making it More Difficult to Find a Claim Indefinite," *IP Intelligence,* January 14, 2021
- "Moderna's IP Vault Paves the Way for COVID-19 Treatments," *IP Intelligence,* October 12, 2020
- "Strategic Considerations for Participation in the USPTO's COVID-19 Deferred-Fee Provisional Application Pilot," *IP Intelligence,* September 21, 2020
- "Landmark UK Supreme Court Decision Grants UK Courts Power to Set the Global Royalty Rate for Standard Essential Patents," *IP Intelligence,* August 31, 2020
- "USPTO Grants Additional COVID-19-Related Relief to Patent Applicants," *IP Intelligence,* July 1, 2020

- "USPTO Grants Relief for Patent Applicants Who Failed to Timely File Patent Applications Due to the COVID-19 Outbreak," *IP Intelligence,* June 18, 2020
- "The Potential Patent Risks Associated with COVID-19 Collaborations," *IP Intelligence,* June 15, 2020
- "USPTO Further Extends Certain Patent Due Dates Only for Small and Micro Entities," *IP Intelligence,* May 28, 2020
- "Industry Initiatives to Ensure Access to Intellectual Property Rights Associated With COVID-19 Treatment," *IP Intelligence,* May 15, 2020
- "Key UPSTO Initiatives to Ease Burden On Patent Owners and Patent Applicants During the COVID-19 Outbreak," *IP Intelligence,* May 13, 2020
- "A Brief Summary of the Key USPTO Initiatives to Speed Up Development of Treatments for COVID-19," *IP Intelligence,* May 12, 2020
- "US Patent and Trademark Office Issues FAQ on Temporary Extension of Due Date in Patent and Trademark Matters Authorized by CARES Act," *IP Intelligence,* April 10, 2020
- "US Patent and Trademark Office Uses Authority Granted Under CARES Act to Temporarily Extend Due Date for Certain Patent and Trademark Matters," *IP Intelligence,* April 1, 2020
- "The Coronavirus Aid, Relief, and Economic Security Act Grants the US Patent and Trademark Office the Authority to Manage Statutory Due Dates," *IP Intelligence,* March 27, 2020
- "PTAB by the numbers: A closer look at the most recent PTAB AIA trial statistics," *IP Intelligence,* January 23, 2020
- "Be Sure to Ask Your Scientists the Right Questions or Risk Losing Patent Protection," *IP Intelligence,* January 27, 2020
- "Federal Circuit ruling marks out dangers of doctrine of equivalents estoppel," *IAM-Media,* December 19, 2019
- "Stays Of Litigation Pending IPR Are Likely To Increase," *IPLaw360,* June 26, 2014
- "6 Reasons Not To Initiate Inter Partes Review," *IPLaw360*, May 27, 2014

Thought Leadership

July 2026
***The Intellectual Property Strategist* | Blocking Ex Parte Reexamination At the Threshold: Using the New USPTO's Procedures to a Patent Owner's Advantage**
The Intellectual Property Strategist

April 18, 2025
Improvements in the USPTO's Processes Between Allowance and Grant Require Quicker Applicant Action

October 18, 2024
***Law360* | 5 Considerations For Obviousness-Type Double Patenting**
Law360

October 1, 2024
What Patentees Need to Know about the USPTO's PTA Coding Errors

April 9, 2024
USPTO's Proposed Fee Increases Have Potential to Significantly Increase Prosecution Costs

March 22, 2024
USPTO Issues Final Rule Updating Signature Requirements for Patent Correspondence

February 15, 2024
USPTO’s Existing Rules Are Sufficient to Deal with Any Misconduct Arising out of AI Hallucinations in PTAB and TTAB Filings

Jan/Feb 2024
***The Patent Lawyer* | What You Need to Know about Patent Term Adjustments**
The Patent Lawyer

January 19, 2024
Much Ado about Nothing: Recent Supreme Court Case Does Not Alter How USPTO Assesses Enablement

December 14, 2023
Future-Proving Your Procedures – Six Steps to Take Now to Be Ready for AI

March 14, 2023
Five Things to Know about Electronic U.S. Patents Available as of April 18, 2023

February 17, 2023
The Unitary Patent Court Alarm Bell (and How to Use the Snooze Bar)

January 13, 2023
***Law360* | Time To Revisit A Little-Used Patent Tool**
Law360

December 1, 2022
***Law360*: 10 Things To Know About The Coming EU Unified Patent Court**
Law360

September 30, 2022
***Law360* | 5 Considerations In Preparing For EU's New Patent System**
Law360

June 23, 2022
***The Patent Lawyer* | Making Patents More Resistant to Challenge in an AIA Trial**
The Patent Lawyer

Speaking Engagements

- “Patent Term Adjustment Considerations and Tips,” ICLEF Midwest Intellectual Property Summit, Nov. 16, 2023
- “Strategic Considerations in view of *In re Cellect*,” Institute of Patent and Trade Mark Attorneys of Australia, Nov. 13, 2023
- “Examining Pharmaceutical Patent Extensions: Patent Term Adjustment and Patent Term Restoration,” 3rd Annual ACI’s Hatch-Waxman and BPCIA Bootcamp, Oct. 26, 2023
- “Comprehending the Intricacies of Non-Patent/Regulatory Exclusivity,” 2nd Annual ACI’s Hatch-Waxman and BPCIA Passport to Proficiency Series, Oct. 24, 2022
- “AIA Trials - Building a Case for Final Hearing,” ABA 30th Annual IP Law Conference
- “Comprehending the Intricacies of Non-Patent/Regulatory Exclusivity,” ACI’s Hatch-Waxman and BPCIA Passport to Proficiency Series, Oct. 19, 2021