

Chief Judge Randall R. Rader
May 23, 2014

Welcome to this event – an impressive feature of the on-going international series of the Federal Circuit Bar Association! I am proud to be a member of this Bar particularly because it has taken up the mission of improving judicial and adjudicative practice worldwide through this series.

It is fitting that I take this opportunity to make an important announcement. May 30, 2010 was my first day as Chief Judge of the Federal Circuit. May 30, 2014 will be my last. In a week, I will step aside as Chief Judge of the Federal Circuit, opening the position for the new Chief Judge Sharon Prost.

At the very outset, let me take this opportunity to congratulate and commend to you Circuit Judge Sharon Prost. Circuit Judge Prost is the ideal judge to lead the Federal Circuit into its next years of continued transition. She has a marvelous vision of the importance of the Federal Circuit within the national judiciary and as an arbiter of cases that vastly influence the world economy. She also has the universal respect and admiration of her colleagues and the poise to lead all of us, me included as one of her Circuit colleagues, through the challenges of the coming years. On a personal note, the highlight of my tenure as Chief Judge may have been when Circuit Judge Prost took the podium to close the Federal Circuit's joint judicial conference with the Supreme Court of Korea in Seoul. She spoke with such dignity and power about the role of the Federal Circuit in the international judicial community. And I will forever remember her words of kindness to me on that occasion. In sum, the Federal Circuit, and especially me, can celebrate this day with full confidence for the future.

For just a moment, and I promise that I have come to "bury Caesar, not to praise him," I wish to recount some of the highlights of the past four years.

**** Transition of Judges:** The Federal Circuit has acquired six new judges in a brief span and has handled the challenges of accommodating new senior judges and bringing the new colleagues into our court's culture and tradition. These new judges (some of them are already veterans who have presided over numerous panels) are marvelously prepared for the work and mission of the Federal Circuit. The future of the Federal Circuit rests securely in very capable hands.

**** Conversion to Electronic Filing and Case Management:** This project, the first undertaken by the new Chief Judge four years ago, ensures that the "technology court" retains technology leadership. Adopting a system compatible with the District Courts and bar expectations has not been easy and is still in progress, but the benefits are already evident throughout our practice areas.

**** Weathering Sequestration and Budget Cuts:** The Federal Circuit together faced great budget difficulties: precipitous rises in rental costs in the face of drastic budget cuts. In the face of these budget challenges, the Federal Circuit came together to make difficult decisions – moving to a voluntary mediation program (which – with the innovative assistance from the bar and even US Magistrate judges in various district courts -- has managed to keep pace with numbers before the cut) and making staff and other reductions in non-essential programs. Despite a staff reduction of approaching 10%, the work of the Federal Circuit proceeded and proceeds without disruption or disturbance.

**** Continued and Enhanced Cooperation with the Bar:** The Federal Circuit saw its supporting institutions take a broader role in Congressional and public affairs affecting the court. The Federal Circuit also saw its supporting institutions foster coordination and cooperation amongst the Patent Pilot Project District Judges in a series of important conferences and meetings. The Federal Circuit also set in motion processes that allowed leaders in the bar and judiciary to propose measures to cut the costs and improve the efficiency of complex litigation, including a model order limiting e-discovery and another limiting issues in patent cases.

**** Courtroom Renovation:** The Federal Circuit completed the renovation of its courtrooms begun when Chief Judge Mayer appointed one of his colleagues to improve our facilities.

**** International Judicial Cooperation:** The Federal Circuit initiated a series of Joint Judicial conferences in Tokyo, Japan; Beijing, China; and Seoul, Korea. Each of these events had attendance at or above 1000 participants including hundreds of judges in those countries. Those events have both improved international cooperation at the judicial level and also are credited with inspiring improvements both in the US and abroad. For instance, Japan implemented an unprecedented amicus procedure; China's Third Plenum announced plans to create a national IP court patterned after the Federal Circuit; Korea moved to consolidate infringement and invalidity patent jurisdiction in a single court.

No doubt the future will carry many challenges for the Federal Circuit similar to those of the last four years, but it has shown that – working as a body – it can achieve its mission of bringing uniformity to important areas of law while maintaining the high traditions of American jurisprudence.

For me, this transition will enable me to return to my “first love” of sitting as a trial judge in various district courts. Indeed I look forward to serving as a district judge for a sizeable volume of cases in the next few months. In addition, I will have time to pursue the joys and challenges of teaching intellectual property courses at

both US and foreign law schools. And, of course, I look forward to continuing to serve on a court that I helped create years before I became a judge.

In conclusion, I wish to affectionately thank the great judges with whom I serve for their marvelous support throughout my tenure as Chief Judge. I also wish to thank the great leaders of our Bar. I genuinely believe that the Federal Circuit enjoys the support of the greatest group of lawyers anywhere in the world. With the Federal Circuit judges and Bar working together, I see no limits on the prospects for improvement of Federal adjudicative practice.

Thank you. Thank you. Thank you.