

USITC ALJ Robert K. Rogers (Ret.)



Robert K. Rogers was appointed as an Administrative Law Judge (ALJ) to the ITC in July 2008. During his five-year tenure, he presided over and conducted hearings and formal proceedings related to Section 337 of the U.S. Tariff Act of 1930. Approximately 95 percent of his proceedings involved patent rights. Mr. Rogers presided over 20 hearings, and issued 17 initial determinations and two temporary exclusion order initial determinations. A number of the cases he oversaw involved high-profile investigations. Most recently, in his final decision at the ITC, Mr. Rogers issued an initial determination in a trade secrets case – a rarity for the ITC – finding in favor of SI Group and confirming that the Sino Legend respondents misappropriated SI Group trade secrets.

Judge Rogers has significant case experience from the ITC where he presided over matters involving unfair trade practices and intellectual property rights in a variety of technologies including consumer electronics and telecommunications devices, chemical compositions and processes, and medical and industrial equipment, among others.

Judge Rogers co-authored an English Language Handbook on Trade Secrets in Section 337 Proceedings at the United States International Trade Commission for the Chinese Ministry of Commerce (MOFCOM), which provides a business oriented guide for MOFCOM to use in teaching Chinese companies about trade secrets litigation and trade secrets misappropriation.

Judge Rogers is also a contributing author to an article titled “Trade Secret Litigation and Protection in California, Third Edition” Chapter 26, Trade Secret Litigation at the ITC, Intellectual Property Section of the State Bar of California, November 2014.

Judge Rogers is also a contributing author to an article titled “Patent Litigation Strategies Handbook, Fourth Edition” Chapter 22, Section 337 Litigation Strategies, Section of Intellectual Property Law, American Bar Association, published by Bloomberg, BNA, December 2015.

Prior to his appointment to the ITC, Mr. Rogers served as a supervisory ALJ at the Office of Medicare Hearings and Appeals in Irvine, California. He also served as an ALJ at the Federal Energy Regulatory Commission in Washington, and at the Social Security Administration's Office of Hearings and Appeals in Sacramento, California. Before his nearly 20 years of service as a federal judge, Mr. Rogers served as assistant city attorney for the city of Thousand Oaks, California, and as the city attorney for the city of South San Francisco. He also spent six years in private practice as a solo practitioner.

Mr. Rogers received an A.B. cum laude in public administration from San Diego State University, and earned a J.D. from Brigham Young University. Following law school, he was a U.S. Navy JAG officer.

Judge Rogers currently provides alternative dispute consulting, trial consulting, trade secret consulting, and witness preparation services.