

## Jennifer L. Blackburn Ph.D.

### Counsel

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### Services

Adversarial Patent Prosecution<sup>SM</sup>  
Asset Creation - Prosecution &  
Counseling  
Intellectual Property  
Licensing, Transactions &  
Monetization  
Market Protection - Opinions &  
Dispute Avoidance  
Patents  
Post-Grant Proceedings

### Industries

Health & Life Sciences

Jennifer Blackburn works with innovation-focused companies to help them identify, protect, and extract value from their own intellectual property, while mitigating risks related to third-party rights. Whether a company is developing new chemical compounds/formulations or new applications for known chemical compositions, Dr. Blackburn's deep technical background in both chemistry and chemical engineering (with an emphasis on polymers) and broad legal experience enables her to quickly grasp the technology, assess the company's legal needs, and recommend a focused strategy.

Dr. Blackburn works closely with appropriate technical and business personnel to understand not only the client's technology, but also its overall business strategy. As a result, she is able to minimize the burdens of growing a valuable patent portfolio, avoiding infringement, and managing strategic partnerships by providing strategic advice and proposing creative solutions tailored to the client's particular needs and goals.

Because Dr. Blackburn understands that a client's time is valuable and limited, she communicates legal advice clearly and concisely, providing rational explanations that allow decision makers to act quickly and without time-consuming follow up. That advice incorporates insights gained from her broad legal experience, which includes managing global patent portfolios, analyzing third-party rights, and representing clients in all stages of patent infringement litigation, in post-issuance patent challenges at the USPTO, and in patent-related contract disputes.

Dr. Blackburn has experience with a wide range of technologies, including specialty polymers (e.g., design, synthesis, processing, and applications); textile manufacture and treatment; specialty building materials (e.g.,



high-performance coatings and sealing materials, energy efficient and carbon negative components, and high-performance concrete); conventional and renewable energies; agricultural chemicals; and medical devices, adhesives, and functional coatings.

## **Experience**

Represents the University of Connecticut under government contract and prosecutes patent applications for biological and chemical technologies such as protein-based photovoltaic energy systems, anti-malarial vaccines, and chemical compounds for the inhibition of yeast growth.

Served as lead counsel on behalf of Peach State Labs in a patent infringement suit related to the use of urea hydrochloride as a cleaning agent. After a week long jury trial, the jury found that the defendant had willfully infringed Peach State's patent and awarded damages leaving the defendant with \$0.01 per unit profit. The district court later granted Peach State a permanent injunction. The district court further found that Peach State had demonstrated clear and convincing evidence that the infringer engaged in egregious litigation misconduct sufficient to meet the standards for awarding enhanced damages and attorneys' fees. *Peach State Labs, Inc. v. Environmental Manufacturing Solutions*, No. 09-cv-395 (M.D. Fla. filed Feb. 27, 2009).

Provides patent procurement and counseling services to Smith & Nephew, an industry leader in the development of advanced medical devices and implants. The company offers technically innovative products in areas such as orthopedic reconstruction and trauma, endoscopy, advanced wound management and biologics. Provide counsel and advice in all aspects of the company's business, including helping shape its overall patent strategy. As part of this, the firm takes an active role in identifying and protecting innovations, as well as evaluating third-party intellectual property rights. Further, the firm provides counseling in connection with the company's patent licensing and acquisition activities and has represented the company in several patent infringement matters.

## **Education**

Duke University School of Law J.D. (2007)

North Carolina State University Ph.D. (2004) Organic Chemistry

Georgetown College B.S. (1998) Engineering Arts, *cum laude*

Georgia Institute of Technology B.Che.E. (1998) Chemical Engineering,

## **Admissions**

Georgia (2007)

## **Court Admissions**

U.S. District Court for the Northern District of Georgia (2008)



U.S. Patent and Trademark Office (2003)

### **Professional & Community Activities**

American Bar Association, Member

American Chemical Society, Member

American Intellectual Property Law Association, Member

Duke, Intellectual Property and Cyberlaw Society, Past Director of Speaker Relations

### **Insights**

#### [News](#)

The Race Is On To Strike 'White Gold' at California's Salton Sea

March 26, 2021

#### [Alert](#)

Clarity on Doctrine of Equivalents Analysis for Chemical Claims

May 23, 2017

#### [Events](#)

PATENT LAW: Inter-Parties Review

November 11, 2016

#### [News](#)

Kilpatrick Townsend's Media Report June 17-23, 2016

June 23, 2016

#### [News](#)

Justin Krieger and Jennifer Blackburn Quoted in Managing Intellectual Property re: "Federal Circuit Remands PTAB for Changing Theories in Midstream."

June 15, 2016