



Kate Gaudry

Partner

607 14th Street, NW
Suite 900 , Washington , DC USA 20005
t 202.481.9926
kgaudry@kilpatricktownsend.com

Services

Asset Creation - Prosecution &
Counseling
Intellectual Property
Patents

Industries

Financial Services
Health & Life Sciences
Technology

Kate Gaudry is a partner at in the Washington, D.C., office of Kilpatrick Townsend & Stockton LLP. Kate focuses her practice on data-driven and strategic patent prosecution. She has authored over sixty publications sharing results of generally applicable analyses, and her work was also pivotal in the shutting down of the USPTO's SAWS program, which secretly subjected select patent applications to increased examination scrutiny. Her research and data focus was recognized when she was one of five attorneys across all practice areas to be selected for LexMachina's and Law360's Data-Driven Lawyer award in its inaugural year of 2018. Most of her clients are in the software, computers, and quantitative-biology technical areas. She particularly enjoys patent-prosecution relating to artificial-intelligence and computational-biology technologies.

Kate was recognized as a Washington D.C. "Rising Star" in 2019, 2020 and 2021 for Intellectual Property by *Super Lawyers* magazine. In 2020 and 2021, she was recommended by *Legal 500 US* for Patent Prosecution. Kate was named to *National Law Journals* Inaugural List of Washington D.C.'s 2020 Trailblazers.

Education

Harvard Law School J.D. (2011) *cum laude*
University of California at San Diego Ph.D. (2006) Computational Neurobiology
Fort Hays State University B.S. (2002) Physics, *magna cum laude*

Admissions

Colorado (2012)
District of Columbia (2018)

Court Admissions

U.S. Patent and Trademark Office (2007)



Professional & Community Activities

Landslide magazine (publication of the ABA Section of Intellectual Property Law), Editorial Board

Insights

[In The News](#)

Kate Gaudry Quoted in *Bloomberg Law* re: "Patents and Artificial Intelligence: An 'Obvious' Slippery Slope"

October 8, 2021

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Where Have All of the Ex Parte Appeals Gone?

September 21, 2021

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Only Humans, Not AI Machines, Get a U.S. Patent, Judge Says

September 7, 2021

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The Intersection of IP and Artificial Intelligence

September 3, 2021

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Medical Device Software Is Booming But Creating IP Hurdles

August 30, 2021

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When Your AI Has an Idea...

August 2, 2021

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Ex Parte Patent Appeals: Determining Whether to Appeal, Trends and Lessons From Recent Cases

June 29, 2021

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Patenting AI Technology

June 25, 2021



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Kilpatrick Townsend Receives Top Rankings in 2021 *Legal 500 US*

June 14, 2021

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Artificial Intelligence (AI) and Intellectual Property Law

June 11, 2021

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Inventions Rooted in Results from AI Algorithms

June 8, 2021

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Exploring the Continuum between Human- and AI-Generated Inventions: How Should Patents and Ownership be Allocated?

April 27, 2021

[Perspectives](#)

Takeaways | Requiring Human Inventorship - Opportunities to Advise Whether to Prohibit, Permit, or Require Listing an AI Algorithm as an Inventor - Eastern District of Virginia & European Patent Office

February 16, 2021

[Alerts](#)

The Time is Now: Opportunities to Advise the E.D. Va. or EPO as to Whether to Prohibit, Permit, or Require Listing an AI Algorithm as an Inventor

February 11, 2021

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Kate Gaudry Quoted by LegalZoom re: "Can You Patent Your Mobile App?"

January 29, 2021

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Thought Experiment: Is Our Patent System Ready for a Potential Future of Brain Interfacing?

November 30, 2020

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Thought Experiment: Is Our Patent System Ready for a Potential Future of Brain Interfacing?
November 19, 2020

[In The News](#)

Patent Filings Dropped As Pandemic Gripped US
November 6, 2020

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Artificial Rights?
November 5, 2020

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Determining the Likelihood that an AI Patent Application Will Be Allowed at the USPTO
October 26, 2020

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Machine Learning in the Lab and in the Marketplace
October 16, 2020

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Podcast Interview With Kate Gaudry
September 16, 2020

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National Law Journal Names Kilpatrick Townsend's Kate Gaudry a D.C. Trailblazer
September 8, 2020

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Written Description Across Technologies
August 3, 2020

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5 Practice Tips | Evaluating Patentability of AI Inventions
July 21, 2020



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Kilpatrick Townsend Receives Top Rankings in 2020 *Legal 500 US*

June 23, 2020

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Kilpatrick Townsend Attorneys Honored With 2020 JD Supra Readers' Choice Awards for Thought Leadership

May 1, 2020

[In The News](#)

Patenting Trends Study by Thomas Franklin and Kate Gaudry Ph.D. was the 5th Most-Read Patent Article in *JD Supra's* 2019 Readers' Choice Awards

April 29, 2020

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23 Kilpatrick Townsend Attorneys Recognized in 2020 *Washington, D.C. Super Lawyers*

April 27, 2020

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Across Industries, the Female Inventor Rate is Half the Female Employment Rate

April 20, 2020

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Patenting Inventions Related to Artificial Intelligence

February 4, 2020

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The Role of Innovation Incentives for AI in Health Care

January 23, 2020

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Informed Drafting and Prosecution of Software and AI Patents

December 1, 2019

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The PPH Program at the USPTO: Favorable Stats Don't Alleviate Big Risks

October 31, 2019

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Patents and Artificial Intelligence: what's next?

September 17, 2019

Publications

Update on 101 Rejections at the USPTO: Prospects for Computer-Related Applications Continue to Improve Post-Guidance

August 13, 2019

Events

Updates on Emerging Patent Trends and Analytics

August 5, 2019

News

Evidentiary Hearing Held in Engineer's Suit Against U.S. Patent and Trademark Office Alleging Bad-Faith Patent Examinations

July 17, 2019

Perspectives

Video | Protect Your Business's Foundation and Future with a Strong Internal Patent System

July 15, 2019

Perspectives

6 Key Takeaways | Protect Your Business's Foundation and Future with a Strong Internal Patent System

July 10, 2019

News Releases

Twenty-Two Kilpatrick Townsend Attorneys Recognized in 2019 Washington, D.C. Super Lawyers

June 7, 2019

Publications

Podcast | Kate Gaudry On Lawyers (Really) Using "Big Data" to get an Edge for Clients

June 5, 2019

Publications

Patenting Trends Study | IPWatchdog Series



May 31, 2019

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Innovator Indicators

May 22, 2019

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Foreign Filers Rush to Patent Emerging Technologies in U.S.

May 7, 2019

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New Patenting Trends Study Helps Corporate America Forecast the Future of Technology

May 1, 2019

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Video | Kilpatrick Townsend and GreyB Services Patenting Trends Study

May 1, 2019

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Patenting Trends Study

April 30, 2019

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Video | Kilpatrick Townsend Patent Trends Study Teaser

April 29, 2019

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AI and Patenting

March 28, 2019

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Don't Give Up: Section 101 Allowances Are Up at USPTO

March 15, 2019

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Bioinformatics Innovations Thrive Despite 101 Chaos
February 7, 2019

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Who Profits From AI? It's Getting Harder to Find Out
January 23, 2019

[In The News](#)

Data-Driven Lawyer: Kilpatrick Townsend's Kate Gaudry
December 6, 2018

[In The News](#)

Is It Worth It? How Game Theory Should Guide Patent Prosecution Decisions
December 6, 2018

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Alice Rejections Now Flow From Different Part Of USPTO
December 4, 2018

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The Data-Driven Lawyers Of 2018
December 3, 2018

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Kilpatrick Townsend Elects 15 New Partners
December 3, 2018

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Artificial Intelligence Technologies Facing Heavy Scrutiny at the USPTO
November 30, 2018

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5 Takeaways Eligibility-Rejection Trends: Within and Beyond Business-Method Art Units
October 25, 2018



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Reversal Rates of Ex Parte Appeals: High Variability Across PTAB Judges

October 12, 2018

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Emerging Patent Trends and Analytics

August 7, 2018

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Eligibility Rejections are Appearing in Greater Frequency Across all Computer Related Technology Centers

May 24, 2018

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PTAB is Bugged Down by Eligibility Appeals

March 6, 2018

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The Unpredictable Prospects of Patenting Cancer Innovation

March 1, 2018

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Nearly All Biz-Method Appeals Contest Eligibility Rejection

March 1, 2018

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Nearly All Post-Alice Eligibility Rejections are Affirmed in Whole by the PTAB

February 27, 2018

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Strategic Predictions Leveraging Art Unit Allowance Rates to Drive the Selection of Appeal Decision Makers

February 16, 2018

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3 Top Takeaways Appeals of PostAlice Eligibility Rejections Face Tough Prospects

November 14, 2017

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The PTAB's Effect on Patent Law — The Example of Section 101

October 20, 2017

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Provisional Application Quality

September 16, 2017

Publications

The Increasingly Powerful PTAB: Underutilized Precedential Designations Undermines Efficiency and Consistency

September 14, 2017

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Newfangled Tools for Patent Prosecution

August 8, 2017

Alerts

Key Takeaways: Software Patent Prosecution Requires Data-Based Strategies Due to Patent Office Inconsistencies

May 26, 2017

Publications

Is there a Tide-Change in the Prospects of Patenting Business Method Innovations?

May 25, 2017

Publications

Predicting The Success Of Claim-Rejection Appeals

May 15, 2017

Publications

Ex Parte Appeal Oral Hearings: Making Your Case Right Before Decision Time

May 5, 2017

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Prosecution: Software/EE - Are We There, Yet?

April 27, 2017

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Resources for the National Center for Women & Information Technology
March 30, 2017

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Augmented Reality and the IP Insights Behind it All
March 24, 2017

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5 Takeaways: Ex Parte Appeals: A Multi-Year & Expensive Trajectory or an Allowance within 2 Months?
February 28, 2017

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Ex Parte Appeal Statistics
February 21, 2017

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Key Takeaways: IP 101 for Non-IP Counsel
February 10, 2017

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Technology and IP Forum: IP 101 for Non-IP Counsel
February 7, 2017

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Drafting for Alice in 2017: Trends and Best Practices
January 31, 2017

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The AIA's First-to-File Transition SHOULD have Resulted in More Provisional Filings
September 14, 2016

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Kilpatrick Townsend's Kate Gaudry Quoted in Bloomberg re: "When a Tech Patent Is Neither"
August 17, 2016

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Ex Parte Appeals in the Post-Alice World
August 2, 2016

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Prosecution: Software and EE
April 14, 2016

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The Appeal Process: The Statistical Likelihood of Success
March 31, 2016

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More Applicants Should Use the First Action Interview Program
March 30, 2016

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Ex Parte Appeal as a Potential Means to Quick Allowances
March 21, 2016

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Pre-Search Interview Program
March 12, 2016

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"Final" Versus "Non-Final" Office Action
March 12, 2016

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Pillar III: Excellence in Customer Service
January 14, 2016

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What Happens When the Feds Decide an Invention is 'Secret?'

January 1, 2016

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To File a CON? Empirical Popularity and Prosecution Outcomes

September 27, 2015

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Only 1 in 20,631 Ex Parte Appeals Designated Precedential by PTAB

September 27, 2015

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The Patent Bar's Role In Setting PTAB Precedence

September 10, 2015

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3 Levels of Using Big Patent Prosecution Data

August 4, 2015

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10 Years Later – A Look at the Efficacy of the Pre-Appeal Brief Conference Program

July 21, 2015

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Trends in Subject Matter Eligibility for Biotechnology Inventions

July 12, 2015

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The After Final Consideration Program Allowance Prospects

June 17, 2015

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USPTO Ends Controversial SAWS Program

April 1, 2015

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The Demise Of SAWS And The Power Of Public Attention

March 23, 2015

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PTO Cuts Secretive SAWS Patent Program

March 6, 2015

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USPTO Ends Controversial SAWS Program

March 5, 2015

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The U.S. Government Just Eliminated Its Secret System for Stalling Patents

March 3, 2015

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U.S. Ends Program Flagging 'Sensitive' Patent Requests

March 3, 2015

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PTO Should Release SAWS Numbers Given Impact on Examination Process

February 8, 2015

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Our Call to the PTO: Release SAWS Data

February 4, 2015

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Further Details of USPTO's SAWS Program Revealed

February 4, 2015

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Data Shows Impact of PTO's Secretive Patent Program

January 29, 2015



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Secret Patent-Examination Program: Rare But Consequential

January 27, 2015

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New Data Shows Extent of Patent System Slowdown

January 27, 2015

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Back and Forth: USPTO's SAWS

January 5, 2015