

## Eugene J. Bernard Ph.D.

### Partner

1400 Wewatta Street  
Suite 600 , Denver , CO USA 80202  
t 303.405.8528 | f 303.648.5619  
gbernard@kilpatricktownsend.com



### Services

Asset Creation - Prosecution &  
Counseling  
Intellectual Property  
Licensing, Transactions &  
Monetization  
Patents  
Post-Grant Proceedings  
Trade Secrets

### Industries

Chemicals  
Electronics & Computer  
Technology  
Energy  
Energy Procurement  
Food, Restaurant & Beverage  
Health & Life Sciences  
Retail & Consumer Goods  
Technology

Gene Bernard serves as the Managing Partner of the firm's Denver office. He counsels clients in all aspects of intellectual property strategy, with an emphasis on building national and international patent portfolios, developing cost-effective patent enforcement goals, and capitalizing on accelerated examination procedures. He regularly advises clients on defensive strategies including third-party patent reexamination and review proceedings, third-party prior art submissions, patent invalidity opinions, and design activities to minimize infringement risks.

Dr. Bernard is familiar with a wide range of technologies, including the fabrication of advanced semiconductor and flat panel display products; the development of cleantech and renewable energy technologies including second generation biofuels, commercial-scale methanogenesis, high-temperature ceramic fuel cells, and solar photovoltaic systems; and the synthesis of advanced polymers and ceramic materials. He works with preeminent companies in a variety of industries including consumer electronics, energy exploration and production, defense, chemical production, semiconductor fabrication, food production, and building materials.

With more than 17 years of patent experience, Dr. Bernard has drafted and procured hundreds of patents for some of the world's leading technology companies. His years of experience in patent prosecution and reexamination give him deep insight into a patent's vulnerabilities, enabling him to draft patents that deter future challenges. This experience complements his client counseling work on international patent procurement and



management programs, intellectual property audits, and competitive analyses for established and developing products.

Dr. Bernard successfully represented a third-party requester in one of the first *inter partes* reexaminations filed with the USPTO, resulting in the cancellation of all claims in the contested patent. He has also successfully defended patent holders in reexamination proceedings brought by defendants during patent litigation and Section 337 Investigations before the U.S. International Trade Commission.

Dr. Bernard has been an invited speaker at a number of seminars on changes to U.S. patent law brought about by the America Invents Act. He has lectured on the impact of the AIA's Post-Grant Review and *Inter Partes* Review proceedings on strategies for patent prosecution and litigation.

Dr. Bernard was recognized in *The Best Lawyers in America*<sup>®</sup> for Patent Law in 2016, 2017 and 2018. He was recognized as a top patent practitioner in 2019 and the five years immediately preceding by *IAM Patent 1000 – The World's Leading Patent Practitioners*.

### **Education**

University of Colorado School of Law, J.D. (2001) *University of Colorado Law Review*, Technical Production Editor

Cornell University, Ph.D., Physical-Organic Chemistry (1997)

Cornell University, M.S., Physical Chemistry (1993)

Union College, B.S., Chemistry (1991) *magna cum laude*, *Phi Beta Kappa*

### **Admissions**

Colorado (2001)

### **Court Admissions**

U.S. Patent and Trademark Office (1997)

U.S. Court of Appeals for the Federal Circuit

U.S. District Court for the District of Colorado

U.S. Court of Appeals for the Tenth Circuit

### **Professional & Community Activities**

American Chemical Society, Member

American Intellectual Property Association, Member



## Insights

### [News Releases](#)

Kilpatrick Townsend Receives High Rankings in 2019 IAM Patent 1000

July 11, 2019

### [In The News](#)

Law Week Colorado Managing Partner Roundtable

December 17, 2018

### [News Releases](#)

Kilpatrick Townsend's Gene Bernard Named Best IP Attorney in Law Week Colorado's Barrister's Best

October 12, 2018

### [In The News](#)

Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2019

August 20, 2018

### [News Releases](#)

Kilpatrick Townsend Recognized in 2018 IAM Patent 1000

July 2, 2018

### [Publications](#)

What's Happening In...Denver

January 9, 2018

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Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2018

August 15, 2017

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Kilpatrick Townsend Receives High Rankings in 2017 IAM Patent 1000

June 8, 2017

### [In The News](#)

KT is...Trending, November 19 - December 2, 2016



December 5, 2016

[In The News](#)

Kilpatrick Townsend's Gene Bernard Quoted by Law Week Colorado re: "Innovation, Invention and the Patent Law Parallel"

November 28, 2016

[In The News](#)

Kilpatrick Townsend's Media Report September 30 - October 6, 2016

October 7, 2016

[News Releases](#)

Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2017

August 16, 2016

[Events](#)

International/European Patent Protection

June 2, 2016

[News Releases](#)

Kilpatrick Townsend Attorneys Named to 2016 IAM Patent 1000

June 2, 2016

[In The News](#)

Kilpatrick Townsend's Media Report March 24 - April 14, 2016

April 15, 2016

[In The News](#)

Gene Bernard Quoted in Law Week Colorado re: "Federal Circuit Recognizes Patent-Agent Privilege."

March 21, 2016

[In The News](#)

Kilpatrick Townsend's Media Report February 4-11, 2016

February 12, 2016



### [In The News](#)

Kilpatrick Townsend's Media Report November 6-19, 2015

November 20, 2015

### [In The News](#)

Gene Bernard Quoted in Law Week Colorado re: "TPP Proposes Intriguing Changes in US IP Law"

November 19, 2015

### [News Releases](#)

Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2016

August 19, 2015

### [In The News](#)

Kilpatrick Townsend's Media Report June 26 - July 9, 2015

July 10, 2015

### [In The News](#)

Kilpatrick Townsend's Media Report June 19-25, 2015

June 26, 2015

### [News Releases](#)

Twenty-Two Kilpatrick Townsend Attorneys Named to 2015 IAM Patent 1000

June 18, 2015

### [In The News](#)

Kilpatrick Townsend's Media Report January 16-22, 2015

January 23, 2015

### [In The News](#)

Kilpatrick Townsend's Media Report January 9-15, 2015

January 16, 2015

### [News Releases](#)

Kilpatrick Townsend Names Gene Bernard Managing Partner of Denver Office

January 14, 2015