Jennifer L. Blackburn, Ph.D.

Counsel

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Services

Adversarial Patent Prosecution℠

Asset Creation - Prosecution & Counseling

Intellectual Property

Licensing, Transactions & Monetization

Market Protection - Opinions & Dispute Avoidance

Patents

Post-Grant Proceedings

Industries

Health & Life Sciences

Chemicals: Industrial Chemistry & Materials and Material Science

Jennifer Blackburn works with companies ranging from emerging enterprises to *Fortune* 500 divisions, leveraging her deep technical background in organic chemistry and chemical engineering, to identify, protect, and extract value from intellectual property while mitigating third-party risks. Jennifer collaborates directly with bench scientists and R&D leadership across the full IP lifecycle, from invention harvesting and worldwide patent strategy to structuring licensing, supply, and joint-development agreements, as well as IP due diligence for M&A. Her contentious experience spans district-court litigation through jury trial, USPTO post-grant challenges, and an appeal before the U.S. Court of Appeals for the Federal Circuit. She advises clients across diverse sectors, including specialty chemicals, polymers, advanced materials, coatings, adhesives, and clean technologies.

Understanding that executive leadership operates under strict time constraints, Jennifer delivers clear, concise legal counsel that translates complex technical data into actionable business strategy. She aligns patent prosecution and global portfolio management directly with commercial priorities, providing rigorous freedom-to-operate, invalidity, and non-infringement opinions. By balancing aggressive asset protection with pragmatic risk assessment, Jennifer enables decision-makers to scale technologies, manage strategic partnerships, and advance product launches with confidence.

Experience

Managed global portfolio growth for a specialty chemicals manufacturer, scaling a 5-application family into a global portfolio of 40+ issued patents and pending applications across 8 jurisdictions (US, Canada, Mexico, Brazil, Australia, Europe, Japan, China) and expanding technology coverage from water-treatment into metal

plating, agriculture, and internationally filed pharmaceutical families. Worked directly with the inventors, CEO, and board; advised on restructuring affecting IP ownership and licensing; and managed IP due diligence through the company's successful sale, coordinating with the Chairman and outside M&A counsel.

Partnered with the legal and R&D teams of a premier consumer goods corporation to conduct a multi-day invention harvesting session, identifying and developing 12 targeted patent applications designed to secure market exclusivity for a critical new product line.

Preserved client ownership of a purchased patent portfolio against a Department of Energy assertion of ownership under Bayh-Dole by leveraging a FOIA appeal and a complex conception/reduction-to-practice analysis to build a strong negotiating position, enabling the client to retain full patent ownership through a strategic settlement.

Briefed and argued an appeal of a USPTO reexamination decision before the U.S. Court of Appeals for the Federal Circuit, carrying a contested technical matter through the nation's highest patent court.

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

Court of Appeals of Georgia (2007)

Superior Court of Georgia, Fulton County (2007)

Supreme Court of Georgia (2007)

U.S. Court of Appeals for the Federal Circuit (2013)

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 Releases

Kilpatrick Attorneys Recognized as Thomson Reuters "Stand-out Lawyers"

February 22, 2024

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

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

June 15, 2016