Darin J. Gibby

Partner

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Services

Adversarial Patent Prosecution℠

Asset Creation - Prosecution & Counseling

Life Sciences Patent Disputes

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Licensing, Transactions & Monetization

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Industries

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Retail & Consumer Goods

Darin Gibby is a key partner and member of the firm since 1993. He was instrumental in launching the Denver office in 1995, and since that time has spearheaded its growth and emergence as one of the largest patent firm in Denver. He is licensed to practice in both California and Colorado. Darin is recognized by *Chambers USA* as a one of Colorado's top intellectual property lawyers and a "respected patent attorney who is frequently called upon to advise on patent prosecution and post-grant reviews as part of a broad IP advisory practice." According to the 2023 edition of *Chambers USA*, Darin is praised that his "depth of experience is quite exceptional."

Darin has over 30 years of experience and focuses his practice on intellectual property counseling, transactions, and licensing matters as well as patent prosecution. He has extensive experience handling the intellectual property aspects of mergers and acquisitions. He counsels start-ups and small businesses on intellectual property challenges to help maximize their portfolios to make them attractive acquisition targets. In addition, he manages several large patent portfolios for *Fortune* 500 companies.

Darin handles patent prosecution and licensing for clients in a wide range of industries, including software and financial transaction systems, medical devices, drug delivery systems, telecommunications, food products,

sporting goods, automotive parts, biotechnology-related devices, and Internet-related technology. He has obtained significant patents on drug delivery systems, insulin formulations, atherectomy and imaging catheters, CPR methods, chemical synthesizing systems, computer peripherals, software, sporting goods, cheese making processes, disk drive heads, baby products, and electro-surgical medical devices. He is experienced in post-grant proceedings, and reexamination and interference procedures, including invalidating a significant patent covering dynamic currency conversion. Darin also regularly provides freedom-to-operate opinions, as well as invalidity and noninfringement opinions.

As part of his practice, Darin routinely visits the U.S. Patent Office in Alexandria, Virginia, having interviewed hundreds of cases. His strategy focuses on working with examiners, rather than resorting to the appellate process. As a result, he has a working relationship with numerous examiners across many art units.

Darin has received many accolades and is regularly recognized by leading publications for his work in intellectual property law. He was ranked No. 1 in intellectual property by *Chambers USA: America's Leading Lawyers for Business* in its 2026 and the 15 years immediately preceding editions. Darin was recognized in *The Best Lawyers in America*® in 2027 and the 14 years immediately preceding and he was named a 2014 “Denver Lawyer of the Year” in the area of patent law by *The Best Lawyers in America*®. Darin was named an “IP Star” by *Managing Intellectual Property* magazine in 2026 and the 13 years immediately preceding. He was recognized as a highly recommended patent practitioner in 2026 and the 13 years immediately preceding by *IAM Patent 1000*. In 2023, Darin was recognized as an *IAM Strategy 300 Global Leader*. He was named by Legal Media Group to its *2013 Guide to the World's Leading Patent Practitioners*. Darin was named a Colorado “Super Lawyer” by *5280 Magazine* and *Super Lawyers* magazine in 2006, again in 2024 and the 12 years immediately preceding, and was also recognized as a Colorado “Top 100 Super Lawyer” in 2014. He was one of eight Denver attorneys to be selected as a 2011 BTI Client Service All-Star. Darin was selected as a “Life Science Star” in the 2017 and four immediately preceding editions of *LMG Life Sciences*. *Law Week Colorado* named Darin as Barrister's Best Patent Lawyer in 2010, Colorado's Best Patent Attorney in 2009, and 2008 Lawyer of the Year for expanding the law office by 40 percent. Darin was also selected as Barrister's Best in 2013 and 2021 in the category for Colorado’s Best Intellectual Property Law (non-litigator) by *Law Week Colorado*. He was recommended by *Legal 500 US* in 2016 for Patent Prosecution.

Experience

Kilpatrick filed an infringement lawsuit on behalf of Hunter Douglas Inc., manufacturer of window coverings and architectural products, and Andrew J. Toti Testamentary Trust against Norman International for infringement of window covering patents. Norman responded by filing eight IPRs on four patents in the lawsuit. Kilpatrick successfully argued that six of the IPR trials should not be instituted, and was able to limit the IPR trials to just three claims total on the other two petitions. United States Patent and Trademark Office Patent Trial and Appeal Board, Case Numbers IPR2014-00276, IPR2014-00282, IPR2014-00283, IPR2014-00286, IPR2014-01173, IPR2014-01174, IPR2014-01175, and IPR2014-01176.

Successfully defended ex parte reexamination of patent for international equipment company.

Handling inter partes reexamination for large cheese manufacturer.

Successfully defended two reexaminations of the same patent during litigation for food service company.

Successfully defended six ex parte reexams for international money transfer company.

Education

Brigham Young University B.S. (1990) Mechanical Engineering, *cum laude*

Brigham Young University M.B.A. (1993)

Brigham Young University - J. Reuben Clark Law School J.D. (1993) *magna cum laude, Order of the Coif*

Admissions

Colorado (1996)

California (1993)

Court Admissions

U.S. Patent and Trademark Office (1994)

Professional & Community Activities

International Federation of Intellectual Property Attorneys, Member

International Association for the Protection of Intellectual Property, Member

Insights

News Releases

Kilpatrick Attorneys Once Again Earn Outstanding Recognitions in 2027 Edition of The Best Lawyers in America®

August 20, 2026

News Releases

Kilpatrick Attorneys Earn 102 Rankings in 2026 Chambers USA and Global Guides

June 5, 2026

Events

New USPTO Prosecution Programs

March 2, 2026

News Releases

Kilpatrick Attorneys Earn a Record 100 Recognitions in 2025 Chambers USA

June 6, 2025

News Releases

Kilpatrick Attorneys Continue to Earn Distinction on Managing Intellectual Property's Prestigious IP Stars List

June 2, 2025