

## Cynthia B. Rothschild Ph.D.

### Partner

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### Services

Adversarial Patent Prosecution<sup>SM</sup>

Asset Creation - Prosecution &  
Counseling

Life Sciences Patent Disputes

Intellectual Property

Licensing, Transactions &  
Monetization

Market Protection - Opinions &  
Dispute Avoidance

Patent Due Diligence

Post-Grant Proceedings

### Industries

Health & Life Sciences

Dr. Cynthia B. Rothschild practices intellectual property law. Dr. Rothschild has worked with a variety of companies and universities to develop their IP portfolios in areas relating to pharmaceuticals, immunology, biotechnology, medical devices, and chemical compounds. She is also involved in counseling clients with respect to the development of new technologies, obtaining patent protection for new inventions, as well as providing assessments relating the strength of their IP portfolios and strategies for enforcement of patent rights.

Dr. Rothschild's professional experience includes serving as a research assistant professor at Wake Forest University Medical School where her research focused on genetic analysis of complex diseases, including cancer and diabetes. In collaboration with a local biotechnology company, Dr. Rothschild developed a highly sensitive assay for detection of genetic changes associated with cancer.

Dr. Rothschild was recognized in 2021 and the six years immediately preceding by *The Best Lawyers in America*® for Biotechnology and Life Sciences Law and again in 2022 and 2023 for Patent Law and Biotechnology and Life Sciences Law. In 2011, Dr. Rothschild was selected as one of the Triad's Women Extraordinaire by *Business Leader Magazine*. Dr. Rothschild is very involved with pro bono work, and received the 2002-2003 North Carolina Intellectual Property Section Award for Pro Bono Work. Dr. Rothschild is a former Chair of the North Carolina Bar Association's Intellectual Property Section and remains active in the Section.



Additionally, Dr. Rothschild has lectured at Wake Forest University Law School on topics ranging from bioethics to patenting of genetic sequences. She is AV® rated by Martindale-Hubbell.\*

## Experience

Currently manage patent portfolio for *Fortune* 500 diagnostics company and several smaller companies. For example, represent a leading clinical laboratory services provider in intellectual property related services, including freedom to operate analyses, patent license negotiation and review, collaborative research and development agreement preparation and analysis, patent prosecution, post-grant review (e.g., IPR) and litigation. Technologies include clinical diagnostic services; bioinformatics; robotics; genome mapping; genetic testing; gene mapping and counseling; companion diagnostics; blood testing services, and biotechnology.

Patent prosecution experience includes drafting and prosecuting U.S. and international patents for small and large molecule therapeutic compounds as well as patent applications relating to medical devices including endoscopic devices for repairing or use during surgery for the spine. For example, represented an emerging drug discovery company with small and large molecule therapeutics with respect to patent prosecution and related counseling. Assisted with providing transactional related patent due diligence services, including performance of patent related due diligence on potential partners, and responding to patent related due diligence requests from potential partners. Significant experience in preparation of non-infringement and invalidity opinions relating to medical devices (stents), small molecules (e.g., pesticides), chemical formulations, and diagnostic assays.

University experience includes representation of Wake Forest University Health Sciences, University of North Carolina Greensboro, University of North Carolina Charlotte, Georgia Health Sciences and other universities in preparing and prosecuting numerous U.S. and international patent applications, including applications relating to cancer diagnostics and/or treatment, large (e.g., antibody) and small molecule therapeutics, the treatment of neuronal dysfunction. Also, assisted with patent license counseling and negotiation, inventorship disputes, and inter-university agreement negotiations.

Represent agricultural companies and universities in the patent prosecution and IP counseling relating to the development of improved chemical formulations for pesticides, environmental testing, and genetically engineered plants. Provide patent prosecution and counseling services to a leading tobacco manufacturer; for example, have obtained patents for genetically selected tobaccos having increased amino acid content and other beneficial traits.

Experience with Inter Parties Review (IPRs) and Post Grant Review (PGRs). Lead or co-counsel on several IPR petitions (IPR 2019-01425; IPR 2019-01517; IPR 2019-01618; and IPR2021-01026) and one PGR petition.

Patent litigation experience includes cases relating to pharmaceutical formulations (*Banner Pharmacaps in*



*Cardinal Health 409, Inc. v. Banner Pharmacaps, Inc.*, No. 03-00-982 (M.D.N.C. filed Oct. 20, 2003), sporting equipment, and BRCA1 testing.

Significant pro bono experience including: representing tenants in suits against landlords for deplorable conditions in rental housing; representation of inmates on Death Row: for example, in connection with the American Bar Association's Death Penalty Project, we produced an analysis of all fifty states' appellate practices in death penalty cases and convinced the California Supreme Court to withdraw proposed changes that would have limited appeals; also worked to have review of jury bias in sentencing of a death row client. Other experience includes: representation of children in immigration proceedings; representation of victims of domestic violence; representation of children as a guardian ad litem; and representation of children to develop an Individualized Education Plan.

### **Education**

Wake Forest University J.D. (1999)

University of Michigan Ph.D. (1984) Biological Chemistry

University of Michigan M.S. (1980) Biological Chemistry

University of Virginia B.S. (1978) Chemistry

### **Admissions**

North Carolina (1999)

### **Court Admissions**

U.S. Court of Appeals for the Federal Circuit

U.S. District Court for the Middle District of North Carolina

U.S. Patent and Trademark Office

### **Professional & Community Activities**

North Carolina Bar Association, Chair of the Intellectual Property Law Section (2010-2011), Section Member (2006-Present), and Past Chair of the CLE Committee (2006-2007)

Biotechnology in the Piedmont Triad, Member of the Advisory Committee (2013-Present)

Winston-Salem Symphony, Board of Directors, Chair of the Nominating Committee (2010-Present)

Bethesda Center for the Homeless, Past Secretary and Member of the Board of Directors and Secretary

Bowman Gray Child Guidance Center, Past Chair and Member of the Board of Directors

Piedmont Opera, Board of Directors (2018-Present)

LPGA Amateur Golf Association, Piedmont Triad Chapter - Past Board President (2018-2019)



## Insights

### [Publication](#)

Supreme Court Grants Amgens Petition for Certiorari to Reconsider Enablement of Genus Claims  
November 17, 2022

### [News Releases](#)

Kilpatrick Townsend Earns Top Recognitions in 2023 Edition of The Best Lawyers in America®  
August 18, 2022

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Kilpatrick Townsend Attorneys Honored in the 2022 Edition of The Best Lawyers in America  
August 19, 2021

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August 20, 2020

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