

Eugene J. Bernard Ph.D.

Partner

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Services

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Gene Bernard 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*® for Patent Law in 2023 and the seven years immediately preceding. He was also named a "Denver Lawyer of the Year" in 2021 for Patent Law by *The Best Lawyers in America*®. Dr. Bernard was recognized as a top patent practitioner in 2022 and the eight years immediately preceding by *IAM Patent 1000 – The World's Leading Patent Practitioners*. He was recommended by *Legal 500 US* in 2020 for Patent Prosecution. In 2018 and 2019, Dr. Bernard was named as the "Best IP Attorney" in *Law Week Colorado* Barrister's Best.

Education

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

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

Cornell University M.S. (1993) Physical Chemistry

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

Admissions

Colorado (2001)

Court Admissions

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Tenth Circuit

U.S. District Court for the District of Colorado

U.S. Patent and Trademark Office (1997)

Professional & Community Activities

American Chemical Society, Member

American Intellectual Property Association, Member

Insights

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Kilpatrick Townsend Earns Top Recognitions in 2023 Edition of The Best Lawyers in America®

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Kilpatrick Townsend Once Again Achieves Impressive Rankings in Annual IAM Patent 1000

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