



Devon C. Beane

Partner

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OVERVIEW

Devon Beane is an intellectual property lawyer concentrating her practice on patent litigation, appellate litigation, post-grant practice at the Patent Trial and Appeal Board, patent licensing, and client counseling. She has a bachelor of science in chemistry. Devon recently played a lead role in the pretrial and trial efforts that led to a significant reduction in recoverable damages, including drafting and arguing motions for summary judgment and Daubert motions, as well as direct and cross examination of fact and expert witnesses at trial. Devon is a member of the Trial Bar of the Northern District of Illinois.

Devon is experienced in all phases of patent litigation, including fact and expert discovery, witness preparation, discovery and dispositive motion practice, claim construction practice, and trial and post-trial proceedings. Devon is also experienced in all phases of Federal Circuit appeals, including initial filings, motion practice, substantive briefs, en banc proceedings, and hearing preparation.

Devon's patent litigation matters include cases in district courts across the country, in the Court of Appeals for the Federal Circuit, and in the International Trade Commission, both supporting and in defense of charges of patent infringement. Devon's patent litigation experience spans a diverse set of technologies, including in the fields of train control systems, medical devices, chemical processes, stem cell technology, wireless services, vehicle tracking devices, oil and gas, automotive parts, and pharmaceuticals.

Devon also has experience with complex patent licensing agreements, trade secret litigation, unfair competition and Lanham Act litigation, breach of contract claims, employment restrictive covenant disputes, and pro bono asylum matters.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Devon served as a judicial clerk for the Honorable Franklin U. Valderrama, the Honorable Sebastian T. Patti, and the Honorable William O. Maki in the General Chancery Division of the Cook County Circuit Court. As a judicial clerk, Devon drafted written opinions and bench memoranda on complex litigation matters, including temporary restraining orders, preliminary injunctions, class actions, and declaratory judgment actions. She also worked as an intellectual property research associate for the University of Illinois College of Agriculture, Consumer, and Economic Sciences.

During law school, Devon was a member of the Patent Clinic at the University of Illinois College of Law. As a member of the Patent Clinic, Devon reviewed invention disclosures, performed patentability searches and drafted a patent application for University of Illinois student inventors. Devon received the CALI Award for the highest grade in the Patent Clinic.

Additionally, she conducted several trials as a Senior Law Student Licensed under Illinois Supreme Court Rule 711 with the Macon County State's Attorney's Office.

PROFESSIONAL / CIVIC ACTIVITIES

- Trial Bar, Northern District of Illinois
- Coalition of Women's Initiatives in Law (Co-Chair, Programming Committee)
- The Richard Linn American Inn of Court (Member)
- Working in the Schools (Third Grade Mid-Day Mentor)
- Elizabeth Ann Seton Food Pantry and Sandwich Kitchen (Volunteer)
- Federal Circuit Bar Association (Member)
- Daughters of the American Revolution (Member)

EDUCATION

- J.D., University of Illinois College of Law, (*cum laude*; *University of Illinois Law Review*; *CALI Award, Patent Clinic*)
- B.S., University of Illinois, (*Chemistry*)

ADMISSIONS

- Bar of Illinois
- United States Court of Appeals for the Federal Circuit
- United States District Court for the District of Colorado
- United States District Court for the Northern District of Illinois

LANGUAGES

- French

THOUGHT LEADERSHIP POWERED BY HUB

- 19 December 2022, Trade Secrets: An International Perspective on Their Protection and Tips to Mitigate Disclosure Risk
- 8 August 2022, ITC Proceedings: An Alternative to Knock Out Knockoffs
- 23 June 2022, New Interim Guidance on Fintiv Factors
- 14 November 2021, Federal Circuit Further Clarifies Venue in Hatch-Waxman Cases
- 3 January 2020, Shifting Gears on the Presumption of Nexus for Secondary Considerations of Non-Obviousness
- 30 December 2019, Shifting Gears on the Presumption of Nexus for Secondary Considerations of Non-Obviousness
- 9 October 2019, A Win is a Win!
- 30 July 2019, When Saying More Gets You Less: The Federal Circuit Affirms That Superfluous Prosecution Arguments Can Limit Doctrine of Equivalents Infringement
- 26 July 2019, Towards a Uniform Theory of Patent Law: The Federal Circuit Declines to Create Design-Patent-Specific Rules for Exhaustion or Repair
- 25 July 2019, Towards a Uniform Theory of Patent Law: The Federal Circuit Declines to Create Design-Patent-Specific Rules for Exhaustion or Repair
- 23 May 2019, Amgen v. Sandoz - New Developments in Biosimilars Litigation
- 17 May 2018, Federal Circuit Declines to Alter Alien Venue Rule in Patent Cases Post-*TC Heartland*
- 12 September 2017, Judge or Jury?: The Federal Circuit Holds that Patent Litigants Do Not Have a Seventh Amendment Right to a Jury Trial on Attorneys' Fees
- 14 June 2017, Supreme Court to Consider Constitutionality of PTAB Proceedings
- 13 June 2017, Supreme Court to Consider Constitutionality of PTAB Proceedings
- 13 June 2017, Coming Home? Part Two: Federal Circuit Denies Mandamus Petition Seeking Clarity on Waiver Issues Post-*TC Heartland*
- 12 June 2017, Coming Home? Part Two: Federal Circuit Denies Mandamus Petition Seeking Clarity on Waiver Issues Post-*TC Heartland*
- 12 June 2017, Coming Home?: Federal Circuit Asked To Immediately Weigh In On Proper Venue Post-*TC Heartland*
- 9 June 2017, Coming Home?: Federal Circuit Asked to Immediately Weigh in on Proper Venue Post-*TC Heartland*

- 22 May 2017, The Federal Circuit Affirms the Patent Trial and Appeal Board's Invalidation of All Claims of a Gilenya® Patent
- 19 April 2017, "Waive" That Issue Goodbye: The Importance of Preserving Arguments and Developing a Full Record
- 11 May 2016, From Behind Closed Doors To The Steps Of The Federal Courthouse: The Defend Trade Secrets Act of 2016
- 29 April 2016, What You Need to Know About the Recent Federal Circuit Rule Changes

OTHER PUBLICATIONS

- "Fed. Circ. Highlights Gravity of Patent Marking Compliance," *Law360*, March 2020
- "Key Design Patent Takeaways from Fed. Circ.'s Ford Decision," *Law360*, August 2019
- "Harmonize Your Trade Secret Protection to Protect Your Assets," *ACC Docket*, December 2017
- "Whose Right Is It Anyway? The Evisceration of an Infringer's Seventh Amendment Right in Patent Litigation," *University of Illinois Law Review*, October 2011

NEWS & EVENTS

- 29 September 2023, K&L Gates Helps Secure ITC Reversal in Patent Suit Over Water Filters
- 2 December 2020, *Law360*: Abbott Can't Escape Infringement Claims Over HIV Testing
- 2 December 2020, *Bloomberg Law*: Abbott Labs Loses Bid to Escape HIV DNA Replication Patent Claim
- 21 February 2019, K&L Gates Names 24 New Partners Across Four Continents

AREAS OF FOCUS

- IP Litigation
- Appellate Litigation
- Pharma and BioPharma Litigation
- Post-Grant Patents

REPRESENTATIVE EXPERIENCE

- Appellate counsel in the Federal Circuit defending PTAB decision in an inter partes review related to USB flash drives, resulting in Rule 36 affirmance.

- Counsel for Baxter International Inc., Baxter Healthcare Corporation, Baxter Healthcare SA, Baxalta Inc., Baxalta U.S. Inc., and Baxalta GmbH in International Trade Commission Investigation related to recombinant Factor VIII technology.
- Trial counsel for defendant Sigma International in a two-week jury trial in the Southern District of California resulting in a verdict of non-infringement of a patent relating to large-volume infusion pump technology. The plaintiff sought over \$170,000,000.00 in damages and a permanent injunction.
- Counsel for Nalco Co. in defending against a patent infringement suit relating to papermaking processes. Case settled favorably for client.
- Trial counsel for company related to generator brush technology in Western District of Pennsylvania after successful transfer from the District of Minnesota post-TC Heartland. Case is pending summary judgment and Daubert rulings. Appellate counsel for the same company related to inter partes review proceedings.
- Trial counsel for pharmaceutical company in declaratory judgment action relating to injectable epinephrine. Case settled favorably for client following filing of IPR petition.