



Katherine L. Allor

Associate

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OVERVIEW

Katherine Allor is an intellectual property lawyer focusing on patent litigation and patent office litigation. She has an undergraduate degree in chemical engineering and is registered to practice before the U.S. Patent and Trademark Office.

As a PTO-registered lawyer, Katherine has experience in post-grant proceedings before the Patent Trial and Appeals Board. She has experience with preparing petitions for *inter partes* review, working with experts to prepare supporting declarations, defending and taking expert depositions, drafting Petitioner replies, and preparing and presenting oral arguments in front of the Board. Katherine has also been involved in the appeals of the *inter partes* review decisions to the Federal Circuit.

Katherine also has experience with patent litigation matters before the Northern District of Illinois, the District of Delaware, the Southern District of California, the District of Maryland, the Eastern District of Pennsylvania, and the International Trade Commission both in supporting and defending charges of patent infringement. She is experienced in many phases of patent litigation, including pre-suit investigation, pleadings, fact and expert discovery, claim construction, defending and taking depositions, discovery and dispositive motion practice, summary judgment hearings, trial preparation, trial, post-trial motions and hearings, and in drafting settlement agreements.

Katherine has experience with a variety of technologies, including medical devices, automotive parts, pharmaceuticals, pharmacy technology, positive train control, and stem cell technology. Katherine also has experience in patent prosecution matters, technology licensing, and performs due diligence reviews.

PROFESSIONAL BACKGROUND

During law school, Katherine worked as a summer associate for K&L Gates, along with several other Chicago law firms. Prior to law school, Katherine worked as an engineer at Dow Corning Corporation, first as a process design engineer for global capital projects, and then as an application engineer supporting silicone technology in the textiles market.

ACHIEVEMENTS

- Listed in the “Ones to Watch” section, *The Best Lawyers in America*©, 2021

PROFESSIONAL / CIVIC ACTIVITIES

- Chicago Volunteer Legal Services
- Chicago Bar Association

EDUCATION

- J.D., Chicago-Kent College of Law, Illinois Institute of Technology, 2014 (*Intellectual Property Certificate Program; Chicago IP Colloquium Fellow*)
- B.S.E., University of Michigan, 2006 (*Chemical Engineering*)

ADMISSIONS

- Bar of Illinois
- United States Patent and Trademark Office
- United States Court of Appeals for the Federal Circuit
- United States District Court for the Northern District of Illinois

THOUGHT LEADERSHIP POWERED BY HUB

- 30 September 2020, Ready, Fire, Aim – Picking the Correct Vehicle for Constitutional Challenges to Administrative Agency Decisions (*Alerts/Updates*)
- 24 September 2020, PTAB Decisions Can Now Be Nominated Anonymously (*BlogPost*)
- 26 March 2020, PTAB Designates Additional Decisions precedential Relating to its Discretion to Deny Petitions (*BlogPost*)
- 17 August 2018, US: Estoppel Attaches Even If Dismissed Without Prejudice (*BlogPost*)
- 16 August 2018, US PTAB Trial Practice Guide Updates (*BlogPost*)
- 11 May 2016, From Behind Closed Doors To The Steps Of The Federal Courthouse: The Defend Trade Secrets Act of 2016 (*Alerts/Updates*)

NEWS & EVENTS

- 2 December 2020, *Bloomberg Law*: Abbott Labs Loses Bid to Escape HIV DNA Replication Patent Claim (*Media Mention*)
- 2 December 2020, *Law360*: Abbott Can't Escape Infringement Claims Over HIV Testing (*Media Mention*)
- 22 October 2019, K&L Gates Prevails on Behalf of SIMO Holdings in Wi-Fi Hot Spot Patent Action Following Jury Trial (*Press Release*)
- 6 May 2016, IP Team Scores Major Win for LKQ in Long-running Patent Dispute (*Noteworthy Work*)

AREAS OF FOCUS

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

REPRESENTATIVE EXPERIENCE

- Counsel for LKQ Corporation in patent litigation matter involving automotive coating process in the Northern District of Illinois. Received a favorable ruling of invalidity on summary judgement, which led to parties settling the dispute.
- Prepared and filed inter partes review petition at the Patent Trial and Appeal Board on behalf of Petitioner Praxair Distribution, Inc. relating to an ion implantation system for semiconductor manufacturing. Led to Entegris patent being invalidated by the Board. Federal Circuit appeal was not pursued.
- Prepared and filed multiple inter partes review petitions at the Patent Trial and Appeal Board on behalf of Petitioner Westinghouse Air Brake Technologies Corporation ("Wabtec") relating to positive train control patents. To date, seven patents have been found invalid by the Board.
- Also served as trial counsel in corresponding patent infringement action (D. Del) brought by Siemens, Inc.
- Prepared and filed inter partes review petition at the Patent Trial and Appeal Board on behalf of Petitioner, Ethicon, relating to a bipolar electrosurgical instrument. All claims were invalidated. Federal Circuit appeal was withdrawn.
- Prepared and filed inter partes review petition at the Patent Trial and Appeal Board on behalf of Petitioner Amperex Tech. Ltd. relating to battery separators. Petition was instituted but was withdrawn as part of the settlement of the corresponding infringement case.
- Trial counsel for Plaintiff Baxter Healthcare in Eastern District of Pennsylvania case involving continuous renal replacement therapy machines. US case resolved favorably, but litigation is on-going in Europe on related patents.

- Trial counsel for Plaintiff Baxter Healthcare in Southern District of California case involving pharmacy technology.
- Also acting as counsel for Baxter at the Patent Trial and Appeal Board regarding three inter partes review petitions filed by BD.
- Drafted Federal Circuit appeal briefs for Baxter Corporation Englewood relating to 101 issues with a pending patent application. Prepared for oral arguments.
- Trial counsel for NeuralStem, Inc. on issue of standing with respect to the StemCells, Inc. patents at issue. Received ruling in favor of NeuralStem, which led to parties settling the dispute.
- Counsel for Endologix, Inc. in patent litigation matter involving medical device technology in the District of Delaware. Prepared and filed inter partes review petition at the Patent Trial and Appeal Board on behalf of Petitioner Endologix, Inc. Petition was instituted but was withdrawn as part of the settlement of the corresponding infringement case.