

Kyle G. Hepner

Senior Counsel

Overview

Kyle's outstanding track record in patent law is built on successful outcomes in patent litigation, drafting and prosecuting patent applications, and patent portfolio management. Clients value his insights and experience in the following technical areas:

- Mechanical and electromechanical devices
- Manufacturing systems and methods
- Pneumatic and hydraulic systems
- Optics
- Lasers
- Designs

Prior to joining Michael Best, Kyle spent several years at intellectual property law firms in the Washington, D.C. area handling a wide range of litigation, domestic, and international patent prosecution, and portfolio management. Prior to becoming a lawyer, he worked as a patent searcher performing patentability, infringement, clearance, and validity searches. Kyle has also performed research on nanotechnology and computer-integrated manufacturing.

Experience

Notable matters include:

Patent infringement defense on underground storage products

Kyle acted as second chair counsel for defendants in a patent infringement and unfair competition action related to an important product line of enclosures for underground utilities. Kyle's team was able to secure a favorable claim construction ruling on key claim terms early in the matter and the case was successfully settled for the client shortly thereafter.

Biotech patent defense for higher education



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Practices

Enforcement, Clearance & Defense
Intellectual Property
Patent

Kyle represented a university in a \$300 million patent infringement suit for patent ownership and standing on a biotech patent related to a genetic mutation used to diagnose Alzheimer's. The mutation was discovered at the university by a professor, but the patent was filed by, and assigned to, a corporation established, in part, by the professor after he had left the university. Kyle was part of the trial team that was able to intervene as a third party and win a jury verdict affirming the university's rights as the sole assignee of the patent.

Electrical outlet and power system patent infringement

Represented a client as both a defendant and a plaintiff in federal district court in multiple jurisdictions in a series of patent infringement claims with damages totaling up to \$100 million. Kyle's team achieved a favorable settlement for his clients that included cross licensing of the patents involved in the various suits.

Honors & Recognitions

- Washington, D.C. Rising Stars- Intellectual Property Litigation, Law & Politics magazine, 2018

Professional Activities

- Member, American Intellectual Property Law Association
- Member, American Society of Mechanical Engineers
- Member, Virginia Bar Association
- Member, District of Columbia Bar Association

Education

- George Washington University Law School, Juris Doctor (J.D.), 2008
- George Washington University, Bachelor of Science (B.S.), 2005; Mechanical Engineering

Admissions

- District of Columbia
- Virginia
- Supreme Court Virginia
- United States District Court, Eastern District of Virginia
- United States Patent and Trademark Office

Related News

PUBLICATION

April 28, 2021

District Court Applies Collateral Estoppel where Different Claim Construction Standard was used in the PTAB



PUBLICATION

May 17, 2019

This Week at the Board - May 17, 2019