

Clayton L. Kuhnell

Partner

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Industries

Energy

Industrials

Life Sciences

Manufacturing

Oil, Gas & Minerals

Utilities

Practice Areas

Intellectual Property

Patent

Bar Memberships

Ohio

Clay counsels clients on complex intellectual property (IP) matters spanning a broad range of industries, including agricultural, manufacturing, chemical, healthcare, consumer product, bioscience, and technology. He develops creative solutions to help clients make intelligent business decisions when it comes to intellectual property; from securing and valuing important intellectual property rights to due diligence reviews and audits to monetization and enforcement efforts. With oversight of corporate global patent portfolios, he prepares and facilitates ongoing prosecution of patent applications before the USPTO and all international patent offices.

As a key component of his practice, Clay consistently assists clients in unlocking the value of their IP and the commercialization of their innovation through strategic alliances. These can take many forms, all of which he has proven success in facilitating, from material transfer agreements, joint development and collaboration agreements, distribution and supply agreements, and licensing arrangements. He counsels clients on IP enforcement opportunities and has noteworthy patent litigation and enforcement experience before U.S. federal courts, the International Trade Commission, and the USPTO.

Clay is ranked in *Chambers USA*: *America's Leading Lawyers for Business* as one of Ohio's Leaders in Their Field for Intellectual Property, named to *The Best Lawyers in America* for Patent Law, named to the Ohio *Super Lawyers* list. Clay has also served as an adjunct professor at the University of Cincinnati College of Law offering a seminar focused on the importance of protecting intellectual property.

Other Info About Clayton

Experience

Counsels individual and corporate clients as to securement, ownership, licensing, avoidance of infringement, dispute resolution, and enforcement of intellectual property rights.

Prepared and prosecuted hundreds of patent applications before the U.S. Patent and Trademark Office involving a variety of technologies, including polymer and chemical arts, consumer products, automotive, pharmaceutical, medical device, welding technology, telecommunications, and software.

Coordinated filing and prosecution of international patent applications.

Appeared before federal courts and before the International Trade Commission for multiple clients to address patent infringement matters, with particular focus on claim construction strategy, Markman briefings and proceedings, and expert witness preparation.

Provides oral and written patentability, freedom to operate, non-infringement, and validity opinions.

Negotiates complex technical transactions involving IP rights, including license, distribution, data privacy, development, confidentiality, and settlement agreements.

Facilitated a transaction with an Asian sovereign wealth fund seeking to make its first investment in the United States.

Education

University of Cincinnati College of Law. J.D., cum laude, 2001

University of Cincinnati, B.S., Chemical Engineering, magna cum laude, 1998

Courts

U.S. District Court, Northern District of Ohio

U.S. District Court, Southern District of Ohio

U.S. Court of Appeals, Federal Circuit

United States Patent and Trademark Office

Recognition

The Best Lawyers in America®: Patent Law, 2016-2027

Selected to Ohio Super Lawyers, 2023-2026

Chambers USA, Ohio, Intellectual Property, 2015-2026

Super Lawyers, Ohio, Rising Stars, 2010; 2011; 2013-2015

Professional Affiliations

American Intellectual Property Law Association

Cincinnati Intellectual Property Law Association

Cincinnati Bar Association

Ohio State Bar Association

Intellectual Property Owners Association (IPO)

Major Publications

Author: "Bringing Intellectual Property Issues Into the Boardroom," *NYSE Governance Services Corporate Board*, June 2013

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