



## → Jennifer Klein Ayers

### Partner

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Jennifer Klein Ayers, an Intellectual Property partner based in the firm's Dallas office, is a co-Chair of the Firm's Women Lawyers Group.

### Areas of Practice

Jennifer has significant experience defending global businesses in complex intellectual property matters, including outsourcing, patent infringement, trademark, trade secret, non-compete and unfair competition disputes.

Jennifer works on matters involving computer hardware and software, information technology systems, business process outsourcing (BPO) services, software-as-a-service (SaaS), Medicaid management information systems (MMIS), and child support enforcement systems (CSES). She has represented both customers and providers in complex outsourcing disputes.

Jennifer's litigation experience includes dispositive motion practice, trial, post-trial proceedings, and the appeal and enforcement of judgments. She has considerable trial and pre-trial experience throughout the United States, including all federal district courts in Texas, the Northern District of California, the Central District of California, the Eastern District of Kentucky, the Eastern District of Michigan, the District of Minnesota, and the Southern District of New York. Jennifer has also litigated in the Delaware Court of Chancery and New York County Supreme Court, including the complex commercial division.

Jennifer's recent victories include numerous *Daubert* orders excluding both technical and damage experts; summary judgment precluding the recovery of lost profits; summary judgment of invalidity; dismissal with prejudice due to unpatentable subject matter; and an award of attorneys' fees.

Jennifer is deeply committed to providing pro bono legal services, including for matters involving claims of actual innocence. She has also contributed to the Firm's Active Bystandership of Law Enforcement (ABLE) project. She is an active member of Attorneys Serving the Community (ASC), where she has served as a committee co-chair. She is also a member of ChIP, including the Texas Chapter.

### Honors

On the Rise, *Texas Lawyer Professional Excellence Awards*, 2020

Texas Rising Star, *Super Lawyers*, 2018-2021

## Experience

### Representative Matters

- Peloton – multiple patent litigations involving fitness equipment and systems for data exchange and display
- Conduent Inc. (formally Xerox Business Services) – high profile outsourcing dispute with subcontractor relating to the implementation of a state-wide claims processing and payment system in the State of New York
- Conduent Inc. (formally Xerox Business Services) – high profile outsourcing disputes with the State of Alaska and Medicaid providers relating to the implementation of a state-wide claims processing and payment system
- Conduent Inc. (formally Xerox Business Services) – dispute with subcontractor relating to the maintenance and operation of a state-wide payment processing system
- Google Inc. and Motorola Mobility – patent litigation involving navigation technology relating to web browser applications and/or e-commerce services
- Tempur Sealy International – multiple patent litigations involving air pumps, adjustable bases and bedding technology
- HealthPlan Services Inc. – dispute with customer relating to business process outsourcing services
- Xerox – dispute with subcontractor relating to the implementation of a multi-component complex human resources business process outsourcing system
- Hewlett Packard – substantial dispute with the State of South Carolina relating to the implementation of numerous state-wide payment processing systems
- Multi-Billion Dollar Financial Institution – internal investigation and confidential dispute with service provider relating to numerous information technology systems intended to replace all core financial and reporting functions
- Sallie Mae, Inc. – dispute with outsourcing provider over implementation of student loan reimbursement system
- STMicroelectronics, Inc. – patent litigation involving CAD/CAM software for integrated circuits
- STMicroelectronics, Inc. – patent litigation involving ethernet connectivity adapters
- Automatic Data Processing, Inc. – patent litigation involving simple object access communications protocol
- Match.com, Evite.com and Expedia.com – patent litigation involving cookie encryption
- Red Lion Hotels Corporation and the Howard Hughes Company – patent litigation involving systems for Internet data exchange and display
- Community Trust Bank – patent litigation involving system for data imaging
- Dropbox – trademark litigation over client's primary trademark
- Consumer Club, Inc. – trademark litigation over client's primary trademark
- Varsity – multiple trademark litigations

## Media Mentions

Movers & Shakers Feature  
*The Deal*, 04.20.2018

Sheppard Mullin Opens Dallas office  
*World Intellectual Property Review*, 04.17.2018

Sheppard Mullin opens up shop in Dallas  
*World Trademark Review*, 04.17.2018

Sheppard Mullin Enters Texas Market With Dallas Office  
*Law360*, 04.16.2018

Sheppard Mullin Officially Opens Dallas Office  
*The Texas Lawbook*, 04.16.2018

Sheppard Mullin Launches Dallas Office  
*Texas Lawyer*, 04.16.2018

## Speaking Engagements

"Update On Trade Secret Law: Shedding Light on a Marshy Landscape," Texas Bar CLE, 2012

## Memberships

Member, Dallas Association of Young Lawyers

Member, Dallas Bar Association

Member, Attorneys Serving the Community

## Practices

Intellectual Property

False Advertising, Lanham Act and Unfair Competition

Patent Litigation

Trade Secrets

Trademarks and Trade Dress

Litigation

Alternative Dispute Resolution

Healthcare

## Education

J.D., The University of Texas School of Law, 2009, *with honors*, The Review of Litigation; Dean's Achievement Award

B.A., The University of Texas, 2004, *with high honors*

## Admissions

Texas

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Fifth Circuit

U.S. District Court for the District of Colorado

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Northern District of Texas

U.S. District Court for the Southern District of Texas

U.S. District Court for the Western District of Texas