



→ Jennifer Klein Ayers

Partner

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Jennifer Klein Ayers is a partner in the Intellectual Property Practice Group in the firm's Dallas office.

Areas of Practice

Jennifer is an experienced intellectual property litigator, with particular experience defending global businesses in complex intellectual property matters, including outsourcing, patent infringement, trademark and domain name, 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, Medicaid management information systems (MMIS), child support enforcement systems (CSES), semiconductors, data encryption, bedding and fitness equipment. Additionally, she has represented both customers and providers in complex outsourcing disputes.

Jennifer's litigation experience covers all major aspects of the life cycle of a case, including dispositive motion practice, trial, post-trial proceedings, appeal and enforcement of judgments. She has considerable trial and pre-trial experience throughout the U.S., including all federal district courts in Texas, 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.

One of Jennifer's recent victories includes obtaining a summary judgment precluding the recovery of lost profits in a competitor patent infringement litigation and *Daubert* orders excluding all plaintiff's damages models.

Jennifer also provides various pro bono legal services, including for matters involving claims of actual innocence. She is also an active member of Attorneys Serving the Community, where she previously served as a committee co-chair.

Honors

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

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

Experience

Representative Matters

- Conduent Inc. – multiple disputes with customers and subcontractors relating to the implementation of multi-component, complex IT systems
- Xerox – multiple high-profile outsourcing disputes with customers and subcontractors relating to the implementation of multi-component, complex IT systems
- Hewlett-Packard – substantial dispute with the State of South Carolina relating to implementation of numerous state-wide IT systems
- Multi-Billion Dollar Financial Institution – internal investigation and confidential dispute with service provider relating to numerous systems developed and implemented by provider
- National Healthcare Technology Company – internal investigation and confidential dispute with customer relating to multi-component, complex IT system
- Sallie Mae, Inc. – dispute with outsourcing provider over implementation of student loan reimbursement system
- Tempur Sealy International – multiple patent litigations involving air pumps, adjustable bases and bedding technology
- Peloton – multiple patent litigations involving fitness equipment and systems for data exchange and display
- Google Inc. and Motorola Mobility – patent litigation involving navigation technology relating to web browser applications and/or e-commerce services
- 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

Appellate

E-Discovery

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 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