

AARON A. BARLOW, Partner

Aaron Barlow is a litigator who for more than 30 years has focused his practice almost exclusively on patent litigation. He has worked on patent infringement cases involving pharmaceuticals, chemicals, computer software, electronics, biotechnology products and medical devices.

Since 2007, Mr. Barlow has been named an Illinois Super Lawyer in intellectual property litigation. His notable experience in patent infringement cases includes lead attorney for clients in industrial chemical patent cases as well as in software copyright cases representing automobile manufacturers. He also has extensive experience representing clients in Hatch-Waxman litigation and in litigation over biosimilars under the Biologics Price Competition and Innovation Act (BPCIA).

Mr. Barlow is a member of Jenner & Block's Patent Litigation and Counseling and Information Technology Disputes Practices.

Mr. Barlow has litigated a number of significant cases. Most recently, he successfully obtained a favorable settlement for coal plant operator accused of patent infringement, was lead counsel for an automobile manufacturer in obtaining a favorable license against a copyright infringement defendant, and was lead counsel in obtaining summary judgment of non-infringement for a major chemical manufacturer in the District of Delaware and on appeal.

- Lead counsel for coal plant operator in obtaining favorable settlement in complex patent infringement case.
- Lead counsel for car manufacturer in software copyright infringement action against after-market supplier.
- Lead counsel for chemical company in obtaining summary judgment of non-infringement for polymer product manufacturing process in the District of Delaware; lead counsel in affirmance in CAFC.
- Lead counsel for chemical company in obtaining summary judgment on breach of contract, unjust enrichment, fraud and other complex commercial claims in case over failed joint development agreement.
- Successfully obtained Rule 12(b)(6) dismissal of BPCIA complaint based on prosecution history estoppel for biosimilar company.
- Represented numerous ANDA plaintiffs and defendants in Hatch-Waxman litigation resulting in successful launches of sole-generic due to non-infringement rulings; successfully enjoining all generic entrants on summary judgment of non-obviousness and no inequitable conduct.
- Represented a chemical company in a jury trial and in the appellate court resulting in a \$153 million judgment for the client and a remand for further damages proceedings on exports that had been excluded from the jury trial by the district court. The case involved ethylene oxide catalysts and processes for making ethylene oxide.



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CHICAGO

Office: 312 923-8308

Fax: 312 923-8408

Email: abarlow@jenner.com

PRACTICE GROUPS

Information Technology Disputes

Intellectual Property

Litigation

Patent Litigation and Counseling

Technology and Sourcing

Trade Secrets and Restrictive Covenants

INDUSTRY GROUPS

Life Sciences

EDUCATION

University of Chicago Law School, JD,
1989

Massachusetts Institute of Technology, BS
(Chemical Engineering), 1986

ADMISSIONS

Illinois, 1989

New York, 2008

COURT ADMISSIONS

US Supreme Court, 2006

US Court of Appeals, Federal Circuit

US District Court, Northern District of Illinois,
1989

US Patent and Trademark Office, 1990

- Represented numerous chemical companies in the area of polymer manufacturing, new polymer compositions-of-matter, catalysis and uses.

Awards

- *Illinois Super Lawyers*
Intellectual Property Litigation - 2007-2019

Publications

- Co-Author, "Supreme Court Upholds, and Changes, IPR Administrative Patent Challenges in Oil States and SAS", April 25, 2018
- Co-Author, "MAPMAKER: An interactive computer package for constructing primary genetic linkage maps of experimental and natural populations," *Genomics*, 1(2):174-181, 1987
- Co-Author, "Mutation frequency decline in *Escherichia coli* B/r after mutagenesis with ethyl methanesulfonate," *Mutat. Res.*, 183, 241-247, 1987

Speaking Engagements

- Paragraph IV Disputes Master Symposium, American Conference Institute, September 30, 2015 to October 01, 2015
- "Patentability Issues in Life Sciences," US Patent Forum 2015, March 18, 2015
- Second Paragraph IV Litigation Strategy Congress, Momentum, October 29, 2014 to October 30, 2014
- Delegation of the China Institutes of Contemporary International Relations, Chicago, IL, October 15, 2010
- Speaker, American Intellectual Property Law Association 2008 Annual Meeting, Washington, DC, October 18, 2008 to October 20, 2008
- Volunteer Judge, National Association for the Advancement of Colored People ACT-SO Competition, Malcolm X College, Chicago, IL, April 26, 2008