

Jason A. Engel

Lead Practice Area Leader - Intellectual Property

Chicago
+1.312.807.4236

jason.engel@klgates.com

OVERVIEW

Jason A. Engel is a first-chair patent trial lawyer who leads high-stakes intellectual property disputes in federal district courts, before the Patent Trial and Appeal Board (PTAB), and at the US International Trade Commission. He is routinely entrusted with courtroom advocacy responsibilities in cases where the outcome materially affects core products, market access, or business strategy.

Jason frequently serves as first chair trial counsel and lead courtroom advocate, including at preliminary injunction hearings, claim construction hearings, and summary judgment hearings. Jason has examined and cross examined fact and expert witnesses in trial and evidentiary hearings, including cross examination of inventors and lead technical witnesses where courts and peers credited his advocacy.

He integrates district court litigation and post grant proceedings into a unified trial strategy, frequently leveraging PTAB outcomes to defeat injunctive relief, narrow asserted claims, strengthen asserted claims, or otherwise position cases for favorable resolution. In this role, Jason has appeared in over 160 PTAB proceedings, the majority as lead counsel. Jason has also successfully handled numerous ex parte reexamination proceedings for patent challengers and patent owners alike.

Clients turn to Jason when they need a courtroom advocate who can translate complex technology into persuasive trial themes and make decisive arguments at moments that determine case outcomes.

PROFESSIONAL BACKGROUND

Previously, Jason worked as a computer consultant developing informational databases for Toyota Motor Manufacturing, Kettering Radiologist Imaging Center, and Dayton Power & Light. He also created the University of Dayton's first website.

Jason served as an Adjunct Professor of Law at the Chicago-Kent College of Law for over 18 years, where he co-founded the Intellectual Property Patent Clinic.

ACHIEVEMENTS

- Recognized by *The Legal 500 United States* as a Recommended Lawyer

  - Patents: Litigation (Full Coverage), 2024-2026
  - Patents: Prosecution (Including Re-Examination and Post-Grant Proceedings), 2026
  - Trademarks: Non-Contentious (Including Prosecution, Portfolio Management and Licensing), 2026
- Recognised as an IAM (Law Business Research) Strategy 300 Global Leader, 2027
- Listed in *IAM Patent 1000*, United States, Illinois Individuals: Litigation and Prosecution, 2023-2024

PROFESSIONAL / CIVIC ACTIVITIES

- PTAB Bar Association

EDUCATION

- J.D., University of Dayton School of Law, 2001 *(cum laude)*
- B.S., University of Dayton, 1998 *(Electrical Engineering)*

ADMISSIONS

- Bar of Illinois
- United States Patent and Trademark Office
- United States Court of Appeals for the Federal Circuit
- United States District Court for the Eastern District of Wisconsin
- United States District Court for the Northern District of Illinois

THOUGHT LEADERSHIP *POWERED BY HUB*

- 12 November 2026, Returning Merits-Based Considerations to PTAB
- 29 September 2026, The Receivership Estate of AudienceScience Inc. v. Google LLC: The Federal Circuit's Continuing Skepticism over Targeted Advertising Patents
- 13 August 2026, USPTO Appeals Review Panel Reaffirms Broad Reach of Double Patenting Doctrine
- 3 August 2026, USPTO's PTAB Rulemaking Signals a Major Shift in IPR Practice
- 23 June 2026, USPTO Director Defines "Exceptional Circumstances" for Director Review—and Terminates Three IPRs
- 7 April 2026, USPTO Introduces Patent Owner Pre Order Submission on SNQ in Ex Parte Reexam
- 14 January 2026, PTAB Reinforces Preference for PGR

- 6 November 2025, USPTO Launches Streamlined Patent Application Program
- 17 October 2025, USPTO Proposes Rule Changes to Refocus Inter Partes Review Proceedings
- 11 September 2025, Federal Circuit's First Foray into AIA-Derivation Proceedings
- 23 July 2025, Return to In-Person Patent Trial and Appeal Board Hearings
- 13 May 2025, Estoppel Estopped?
- 20 March 2025, Patent Trial and Appeal Board Designates "Informative" Decision Regarding Claim Construction
- 6 March 2025, Federal Circuit Broadens ITC Economic Prong
- 30 July 2024, Federal Circuit Clarifies Scope of Estoppel Provision and Provides Guidance on "Patentably Distinct" Claims
- 23 May 2024, Federal Circuit Relaxes Standard for Design Patent Obviousness Challenges
- 16 May 2024, USPTO Considering Changes to Enforceability of Patents Subject to a Terminal Disclaimer
- 15 May 2024, USPTO Considering Changes to Enforceability of Patents Subject to a Terminal Disclaimer
- 5 March 2024, Federal Circuit Finds Declaratory Judgment Jurisdiction Over Patent Owner Through Amazon APEX Agreement
- 11 October 2023, Hydrogen Storage, Distribution, and Transportation: Developments in Hydrogen Carriers
- 29 April 2023, Proposed PTAB Rules Up for Comment
- 20 March 2023, H2 Production: A Shift Towards Electrolysis
- 20 February 2023, Global Trends in Hydrogen IP Protection
- 23 June 2022, New Interim Guidance on Fintiv Factors
- 3 February 2022, Federal Circuit Rules AAPA in Challenged Patent Does Not Qualify as Prior Art Under 35 U.S.C § 311(b) but Signals AAPA Can Play Role in §103 Analysis
- 24 September 2020, PTAB Decisions Can Now Be Nominated Anonymously
- 27 July 2020, PTAB's Motion to Amend Patentability Powers
- 26 March 2020, PTAB Designates Additional Decisions precedential Relating to its Discretion to Deny Petitions
- 23 December 2019, POP Provides Clarity Regarding Level of Proof for Printed Publications Before the PTAB
- 5 November 2019, Unconstitutionality of PTAB Judges Corrected by Federal Circuit
- 3 November 2019, Unconstitutionality of PTAB judges corrected by Federal Circuit decision

- 9 October 2019, A Win is a Win!
- 31 July 2019, IPR of pre-AIA patent not an unconstitutional taking
- 16 April 2019, St. Regis Mohawk Tribe petition for centiorari denied
- 3 March 2019, US: Helpful Guidance From Judge Bryson Regarding Stays Pending IPR
- 11 October 2018, USPTO Announces Final Rule Changing Claim Construction Standard in Inter Partes Review, Post-Grant Review and Covered Business Method Patent Proceedings
- 17 August 2018, US: Estoppel Attaches Even If Dismissed Without Prejudice
- 16 August 2018, US PTAB Trial Practice Guide Updates
- 2 May 2018, The Supreme Court Upholds and Clarifies Inter Partes Review
- 24 April 2018, U.S. patent case update: IPR proceedings
- 23 February 2018, Designing aftermarket auto parts: exhausting design patent rights
- 25 October 2017, Changing Tides: The Federal Circuit Reverses the Aqua Products Decision and Shifts the Burden to the Petitioner for Proving Unpatentability of Amendments
- 5 October 2017, Petitioners bear the burden of proving invalidity of amended claims in IPR proceedings
- 5 October 2017, Jury Awards Profits for Infringing Sales in Post-Samsung Design Patent Case
- 14 June 2017, Supreme Court to Consider Constitutionality of PTAB Proceedings
- 13 June 2017, Supreme Court to Consider Constitutionality of PTAB Proceedings
- 13 June 2017, Coming Home? Part Two: Federal Circuit Denies Mandamus Petition Seeking Clarity on Waiver Issues Post-TC Heartland
- 12 June 2017, Coming Home? Part Two: Federal Circuit Denies Mandamus Petition Seeking Clarity on Waiver Issues Post-TC Heartland
- 12 June 2017, Coming Home?: Federal Circuit Asked To Immediately Weigh In On Proper Venue Post-TC Heartland
- 9 June 2017, Coming Home?: Federal Circuit Asked to Immediately Weigh in on Proper Venue Post-TC Heartland
- 17 May 2017, Be Careful What You Wish For: Federal Circuit Says Statements Made During IPR Can Limit Scope of Patent
- 1 February 2017, Setting Up the Scope of IPR Estoppel for the Federal Circuit
- 12 December 2016, Supreme Court Signals Shift in Approach to Damages in Design Patent Infringement Cases

- 24 October 2016, Federal Circuit Confirms *Cuozzo* Does Not Disturb § 314(d) Bar on Appellate Review of PTAB Reconsideration of IPR Institutions
- 11 October 2016, Practical Implications from the Federal Circuit's Rare *en Banc* Reversal in Apple v. Samsung
- 6 July 2016, The Start of Something Big? PTAB Issues First PGR Final Decisions
- 21 June 2016, *Cuozzo* Furthers the USPTO's Authority in Managing Its Agency Proceedings
- 29 April 2016, What You Need to Know About the Recent Federal Circuit Rule Changes
- 2 September 2015, PTAB Lays Initial Groundwork for Post-Remand Proceedings
- 20 August 2015, USPTO Announces Second Round of AIA Rule Changes

OTHER PUBLICATIONS

- Co-author, "Reviewing the Reviewers: Loper Bright's Impact on Judicial Review of Patent Trial and Appeal Board IPR Practice," *Chicago-Kent Journal of Intellectual Property*, March 2025

NEWS & EVENTS

- 3 August 2026, K&L Gates' Global IP Practice and Lawyers Recognized in *Managing IP's* 2026 "IP Stars" Rankings
- 3 August 2026, K&L Gates Expands Global Intellectual Property Platform With Munich-Based Team
- 2 June 2026, K&L Gates IP Practice and Lawyers Recognized in 2026 Edition of IAM Patent 1000
- 31 July 2025, K&L Gates Announces New Practice Leaders Across Global Platform
- 6 June 2025, K&L Gates' IP Practice, Lawyers Recognized Among Leaders in 2025 Edition of IAM Patent 1000
- 10 June 2024, K&L Gates' IP Practice, Lawyers Recognized Among Leaders in 2024 Edition of IAM Patent 1000
- 1 August 2023, K&L Gates Intellectual Property Practice Listed Among Leaders in 2023 IAM Patent 1000 Rankings
- 6 May 2016, IP Team Scores Major Win for LKQ in Long-running Patent Dispute

MEDIA MENTIONS

- 1 August 2026, *Juve Patent* | K&L Gates strengthens patent litigation offer in Munich with patent attorneys
- 29 June 2026, *Managing IP* | Winning AI visibility: shifting from SEO to GEO

OTHER MEDIA MENTIONS

- Sharp Hits Vizio With Patent Claims Over LCD TV Tech, *Law360*, 11 March 2020
- Fed. Circ. Highlights Gravity Of Patent Marking Compliance, *Law360*, 9 March 2020
- PTAB Printed Publication Ruling Gives Petitioners More Work, *Law360*, 7 January 2020

AREAS OF FOCUS

- IP Litigation
- IP Procurement and Portfolio Management
- Post-Grant Patents
- Technology Transactions and Sourcing

INDUSTRIES

- Consumer Electronics
- Consumer Goods and Services
- Energy
- Hardware and Semiconductors
- Household Goods
- Life Sciences
- Oil and Gas
- Power
- Technology

REPRESENTATIVE EXPERIENCE

- Counsel for Nestlé USA, Inc., Safeway, Inc., H.J. Heinz Company, The Schwan Food Company, and Graphic Packaging International, Inc. in patent false marking qui tam action (N.D. Ill). Case dismissed “pursuant to Rule 12(b)(6) and Rule 9(b) for failing to state a claim.”
- Trial counsel for Robotic FX, Inc. and Jameel Ahed in defending against preliminary injunction (D. Mass.) sought by iRobot Corp., alleging theft of trade secrets related to robotic technology. Conducted cross-examination of iRobot's lead witness which the Court's opinion, denying the majority of the relief sought by iRobot, recognized as demonstrating "flaws" in iRobot's case. Case settled thereafter

- Lead trial counsel for Nalco Company in patent infringement action (D. N.J.) brought by Lonza Inc. related to deposit control in papermaking processes. Conducted claim construction hearing and fact and expert depositions. Case settled during expert discovery.
- Lead trial counsel for Nalco Company in preliminary injunction hearing (S.D. Tex.) seeking to prevent it from using a crude oil desalting process allegedly invented and patented by Baker Hughes Inc. Conducted cross-examination of lead inventor, and direct examination of economic and technical experts. Filed and prosecuted inter partes reexamination resulting in cancellation of asserted claims (decision affirmed on appeal) and revocation of injunction.
- Trial counsel for Stratos Lightwave, Inc. in patent infringement jury trial (D. Del). Obtained jury verdict of infringement on all 13 asserted claims of 6 patents related to optoelectronic transceivers.
- Trial counsel for Hexagon Metrology, Inc. and TESA SA (N.D. Ill) in successfully fending off patent holder's attempt to preliminarily enjoin probing system for coordinate measuring machines. Conducted direct examination of technical expert on issues related to patent invalidity. Case settled thereafter.
- Counsel for Mentice SA and Mentice AB in patent infringement case (E.D. Tex.) involving medical simulators. Case successfully transferred to the Northern District of Ohio following Volkswagen II and TS Tech cases.
- Counsel for Stratos Lightwave, Inc. in patent infringement case in the Northern District of California against Infineon Techs. N. Am. Corp. and Infineon Techs. AG. Case settled at mediation following claim construction ruling.
- Counsel for Wm. Wrigley Jr. Co. in patent infringement case (N.D. Ill) against Cadbury Adams USA LLC related to confectionery technology. As lead counsel at claim construction hearing, secured favorable "specification disclaimer" ruling against Cadbury's patent, leading to summary judgment of non-infringement both literally and under the doctrine of equivalents.
- Trial counsel for Eastman Kodak Company in a District Court case against Apple, Inc. involving technology related to ink-jet printers, digital camera user interfaces, power management, and serial communication interfaces.
- Trial counsel for Eastman Kodak Company in International Trade Commission case against Apple, Inc. involving digital cameras and image processing technology. Administrative Law Judge Robert K. Rogers issued an Initial Determination finding: (i) Kodak did not infringe either of Apple's '911 or '964 Patents; (ii) Apple's '911 Patent was invalid; and (ii) Apple lacked the required domestic industry for the '964 Patent. The International Trade Commission declined to review the Initial Determination. At the close of the evidentiary hearing ALJ Rogers commented: "If I were going to hold out a hearing for an example of how to go about this, it would be the one you just put on because you have saved a lot of time by avoiding unnecessary bickering and by focusing on what the real issues in the case were as opposed to going far afield. So thank you for that."
- Trial counsel for Westinghouse Air Brake Technologies Corporation (“Wabtec”), Standard Car Truck Company, and Tianrui Group Foundry Company, Ltd. in patent infringement action (S.D. Ill) brought by Amsted Industries Inc. related to railway car sideframes and bolsters. Case settled after service of invalidity contentions.