

BRINKS  
GILSON  
& LIONE  
100 YEARS OF IP LAW



## ALLYN B. ELLIOTT (RHODES) SHAREHOLDER

“I work closely with my clients to understand their business and their needs and to help them achieve their most important goals.”

Whether it's a change in the law or a stubborn patent examiner, Allyn Elliott is tenacious in the face of obstacles, never giving up until she finds a way to achieve client objectives. As a result, she develops strong working partnerships with her clients—many of whom she's counseled for years.

Allyn works primarily with clients in the chemical, biotechnology and pharmaceutical industries. She has obtained numerous patents in a wide range of technologies, including medical diagnostics, chemical processing and manufacturing including hydrocarbon refining and processing, metallurgy, battery component technology, catalyst technology, pharmaceutical formulations, medical devices, and insecticides. In addition to patent prosecution, Allyn counsels clients on global patent protection strategies, conducts due diligence investigations of patent portfolios and provides opinions on patentability, freedom to operate, validity and non-infringement. She also has experience practicing before the Patent Trial and Appeal Board – both with the appeal process and with post-grant proceedings under the America Invents Act.

Given the long timeline for patent application prosecution and potential administrative or judicial review of issued patents, Allyn is well aware of the need to think forward when preparing and prosecuting patent applications. She maintains an ongoing dialogue and working relationship with patent examiners to work through current issues and anticipate upcoming changes—often gaining information that helps her clients shave months or years off the examination process. Using her background in chemical engineering, Allyn crafts compelling explanations of complex

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### EDUCATION

J.D., magna cum laude  
Tulane University School of Law,  
2003

B.S., Chemical Engineering,  
summa cum laude  
Mississippi State University, 1998

### BAR ADMISSIONS

North Carolina  
U.S. Patent & Trademark Office

technologies for examiners and Administrative Patent Judges.

## EXPERIENCE | OVERVIEW

- Obtained multiple post-Myriad patents for diagnostic testing methods.
- Manage a global patent portfolio for a medical diagnostic company involving patent filings in the United States, Europe, Canada, Australia, Japan and China.
- Prepared multiple petitions, which successfully sought institution of *Inter Partes* reviews, for a client in the chemical manufacturing industry.
- Drafted numerous non-infringement and invalidity opinions over a period of several years for a client in the hydrocarbon processing industry as a part of a freedom to operate evaluation related to the planning and building of a multi-billion dollar hydrocarbon processing plant.
- Performed patent portfolio investigations as a part of due diligence for clients to aid in making investment decisions in the pharmaceutical and medical device industries,

## EXPERIENCE | LEGAL EXPERIENCE

**Tillman Wright PLLC**, March 2006-March 2008

**Kennedy Covington Lobdell & Hickman LLP**

Attorney, September 2003-March 2006

Summer Associate, May 2002-August 2002

## EXPERIENCE | NON-LEGAL EXPERIENCE

**Shell Oil Company**

Flow Assurance Engineer, January 1999-August 2000

Reservoir Engineer, June 1998-January 1999

## PRACTICE GROUP(S)

International Patent

Patent Prosecution

## AREA OF FOCUS

Biotechnology & Pharmaceutical

Chemicals, Energy & Agriculture

Green Technology

Nanotechnology

## TECHNICAL BACKGROUND

Biopharma

## FORWARD THINKING

### Alerts

- *Travel Sentry, Inc. v. Tropp: Federal Circuit Revisits Direct-infringement Liability for Third-party Conduct - January 03, 2018*
- *Practical Guidance for Amending Claims in an Inter Partes Review - August 13, 2015*

### Blog Posts

- *PTAB Designates Five Opinions as Precedential - May 27,*

2016

### **Presentations**

- "Keeping Up With the PTAB: How to Win When the Rules Seem to Change," Brinks Webinar, July 26, 2017
- "File Early and Often: Filing Strategy in view of the America Invents Act," The Laws of Science: Understanding Intellectual Property for the Life Sciences, Durham, NC, March 29, 2012
- "2011 Intellectual Property Law Update," Association of Corporate Counsel, RTP Chapter, Research Triangle Park, NC, December 7, 2011

### **AFFILIATIONS**

- North Carolina Bar Association, Young Lawyers Division