



→ Jennifer Klein Ayers

Partner

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Jennifer Klein Ayers is a Dallas-based Intellectual Property partner. She is also a co-Chair of the Firm's Women Lawyers Group.

"[O]utstanding communicator who does a terrific job taking charge of the day-to-day aspects of litigation"

- IAM Patent 1000 (2022)

Areas of Practice

Jennifer is an accomplished courtroom lawyer with significant experience representing global businesses in complex intellectual property matters, including outsourcing, patent infringement, trademark, trade secret, non-compete and unfair competition disputes. She has represented clients in courts across the United States, including all federal district courts in Texas, Delaware, the Northern and Central Districts of California, the Central District of Illinois, 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.

Her recent successes include a \$57.5 million judgment in a trade secret and patent infringement competitor jury trial. In the last two years, the Federal Circuit has also issued two opinions upholding Jennifer's wins on motions to dismiss and for summary judgment. She has also won numerous arbitrations before JAMS and the AAA, including a recent \$10 million Final Award that bankrupted the respondent. Jennifer has also excluded numerous technical and damages experts on *Daubert*, and has obtained case dispositive wins on subject matter eligibility under 35 U.S.C. § 101 numerous times. In the last four years, she has obtained multi-million dollar awards of attorneys' fees for her clients twice.

Jennifer represents clients in a wide variety of technologies, including computer hardware and software, semiconductor devices, networking and connectivity devices, and consumer products and electronics. She has experience representing both providers and customers in large IT and business process outsourcing (BPO), software-as-a-service (SaaS), and platform-as-a-service (PaaS) disputes. She is experienced in litigating large, complex system implementation disputes, including against states and the Federal government. She also has deep experience in disputes relating to enterprise resource planning (ERP) and financial systems. In the healthcare industry, she has litigated breach of contract and fraud claims relating to custom and custom-off-the-shelf beneficiary enrollment, provider enrollment, and claims processing systems and Medicaid Management Information Systems (MMIS).

Jennifer is passionate about giving back to her community, consistently dedicating her time and experience to support various causes. From 2022-2024, Jennifer served as the Co- and Lead Chair of Attorneys Serving the Community (ASC). During her tenure, ASC raised more than \$1 million in total revenue for Nexus Recovery Center and Crossroads Community Services. Jennifer is also active in the Firm's pro bono initiatives. She is a member of the Firm's Pro Bono Committee, and has participated in the Firm's Active Bystandership of Law Enforcement (ABLE) project.

In addition to her community service and pro bono activities, Jennifer is also involved in professional organizations. She is a member of ChIPs, including the Texas Chapter, and she is a Barrister in the Judge Barbara M.G. Lynn Inn of Court.

Honors

Best Lawyers: Ones to Watch, *Best Lawyers*, 2023-2025

Best Lawyers in Dallas, *D Magazine*, 2023, 2025

Up-and-Coming 50: 2022 Women Texas Rising Stars, *Super Lawyers*, 2022

Texas Rising Star, *Super Lawyers*, 2018-2022

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

Experience

Representative Matters

- Qorvo – multiple litigations relating to the fabrication of semiconductor devices in cases involving claims of patent infringement and misappropriation of trade secrets
- Snap Inc. – multiple patent infringement cases involving digital content management, digital image branding, alternative reality, multi-factor authentication, and location services
- Oracle – multiple patent litigations involving communication protocols and virtualized computer systems
- Peloton – multiple patent litigations involving fitness equipment and systems for data exchange and display
- HealthPlan Services Inc. and Wipro Inc. – multiple disputes relating to business process outsourcing services and the implementation of ERP systems in healthcare and media technology industries
- Conduent Inc. (formally Xerox Business Services) – multiple high profile outsourcing disputes with subcontractors, state governments, and alleged third party beneficiaries relating to the implementation of state-wide claims enrollment, processing, and payment systems in the states of Alaska, Delaware, and New York
- Xerox – dispute with subcontractor relating to the implementation of a multi-component complex human resources business process outsourcing 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
- 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. – multiple patent litigations involving CAD/CAM software for integrated circuits and ethernet connectivity adapters
- Automatic Data Processing, Inc. – patent litigation involving simple object access communications protocol
- Hotels.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

Articles

- Does the USPTO’s Proposed IPR Modifications Ignore the AIA?
Managing IP, 12.08.2025
- Sheppard Mullin Kicks Off 2025 EAJ Campaign
Headnotes, Dallas Bar Association, 09.2024

Media Mentions

No New Trial For Akoustis After \$39M Trade Secret Case Loss
Law360, 11.01.2024

Qorvo Follows \$39M Jury Win With Trade Secrets Purge Order
Law360, 10.15.2024

Qorvo Wins \$11.7 Million in Attorneys Fees in Akoustis IP Suit
Bloomberg Law, 09.10.2024

Qorvo Gets Nearly \$12M In Fees After \$39M Trade Secrets Win
Law360, 09.09.2024

Litigator of the Week Runner-Up and Shout Outs
The American Lawyer, 05.24.2024

Qorvo Wins \$38.6M In Akoustis Trade Secrets And Patent Trial
Law360, 05.17.2024

Snapchat Keeps Calif. Alice Win At Fed. Circ. In Patent Row
Law360, 04.12.2023

Fed. Circ. Upholds Peloton's Win In Bike Tech Patent Row
Law360, 02.16.2023

Peloton Beats Designer's Patent Suit, Wins \$5.5M In Atty Fees
Law360, 03.30.2021

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 Bar Association

Member, Dallas Women Lawyers Association

Form Lead Chair, Attorneys Serving the Community

Practices

Intellectual Property

Patent Litigation

Trade Secrets

Trademarks and Trade Dress

False Advertising, Lanham Act and Unfair Competition

Healthcare

Litigation

Alternative Dispute Resolution

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