



Brian Kinnear

PARTNER

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OVERVIEW

Brian brings a broad background in technology and manufacturing to his patent prosecution practice.

The only intellectual property attorney in a prior firm's Denver office, Brian built a truly eclectic IP practice where he gained experience with a wide variety of technologies—from HVAC systems to semiconductor fabrication, artificial intelligence to social media and targeted marketing, and healthcare to speech-to-text systems. He is particularly experienced with the automotive and manufacturing industries, where he concentrates much of his practice at Husch Blackwell.

Brian represents clients in patent prosecution, assisting with patent applications, drafting responses to USPTO Office Actions, and providing guidance on overall patent strategies. Many of the clients he serves file patent applications internationally as well, and he works with local counsel in foreign jurisdictions to ensure that clients' innovations are protected around the globe. Brian also represents foreign clients before the USPTO as they seek to file in the United States.

While not a litigator himself, Brian does provide litigation support on IP cases. He has been involved with a long list of patent infringement lawsuits on behalf of both plaintiffs and defendants, and he is experienced with designing around patent claims to help clients avoid litigation.

After earning an undergraduate degree in electrical engineering, Brian realized that he was passionate about engineering and technology, but not the daily work of an engineer. He chose to

Industries

Manufacturing
Technology
Transportation

Services

Intellectual Property
Intellectual Property Counseling
Patent Preparation & Prosecution

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pursue a legal career instead, where he could satisfy his love of figuring out different technologies—and of figuring out how best to explain technologies. Brian has a true gift for clearly explaining an innovation to patent examiners, as well as for presenting technologies in the layman's terms that will be most useful before a jury.

Clients have commented that they appreciate that Brian never tells them what they can't do; instead, he simply offers practical advice and suggests various workarounds. He ensures that clients are aware of the risks and potential consequences of certain options—as well as the likelihood of those options—but lets them make the decisions that best fit their business needs.

Experience

- Helped a mother managing a home business obtain a number of patents relating to a novel cloth diaper and turn that concept into a large cloth diapering company.
- Assists a large and diverse engineering and manufacturing company with patent portfolio strategy and due diligence for strategic acquisitions.
- Facilitated a start-up medical device company with obtaining patents for a disruptive product that eventually resulted in a strategic acquisition.
- Draft and obtain patents relating to natural language processing and associated workflow.
- Numerous projects relating to freedom-to-operate, infringement, and validity opinions as well as developing guidelines for the development process.
- Frequently requested to train engineers, managers, scientists, and managers on intellectual property law and provide working policies for their companies.

Recognition

- *Attorney Intel*, Top Colorado Attorney, 2024
- *The Best Lawyers in America*®, Litigation – Patent, 2021-2024
- *Intellectual Asset Management Patent 1000*, 2019-2023
- 5280 Denver's *Mile High Magazine*, Denver's Top Lawyers, 2019
- *Law Week Colorado*, Best Patent Lawyer, 2009

Education

- J.D., George Mason University Antonin Scalia Law School
 - with distinction
 - *George Mason Law Review*, Assistant Business Editor
- B.S., Western New England University
 - *magna cum laude*

Admissions

- Colorado
- U.S. Patent and Trademark Office