

David Kerr

Partner

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With advanced degrees in science, law, and business, David is known for his unique ability to understand his clients' technologies as well as their business goals.

David's Core Practices

Patent + Trademark | Litigation + Arbitration

David's law practice focuses on national and international patent and trademark prosecution, strategic intellectual property portfolio management, and related litigation.

Patent + Trademark

David represents established and emerging companies as well as research institutions in all aspects of intellectual property law, including the following: patent preparation and prosecution; domestic and international trademark clearance, prosecution, and filings; freedom-to-operate analysis; IP portfolio acquisition and development, including transfer of domestic and international patent and trademark rights; and licensing. David also manages patent and trademark portfolios throughout the world. His work spans a broad range of scientific and technological fields, including biopharmaceuticals, cannabis, cancer therapeutics, CRISPR, DNA sequencing, genetic engineering, pharmaceuticals, small-molecule therapeutics, drug delivery, plant and animal pathogens, plant physiology, medical devices, renewable energy technologies (clean coal, solar, wind), RNA interference, bioinformatics, artificial intelligence, and vaccines.

Litigation + Arbitration

David represents clients in mediation and arbitration, as well as in litigation in state and federal courts. He litigates and defends a wide range of IP disputes, including those involving copyright, patent, trademark, trade dress, trade secret, and unfair competition. David offers tailored solutions for each client, from pre-litigation counseling to litigation alternatives, including post-grant proceedings like inter partes review and ex parte re-examinations.

More About David

David is a co-founder of BHGR's IP Practice Group. He serves on BHGR's Management and Sustainability Committees and previously served on the firm's Marketing Committee. He spearheaded BHGR's efforts to join the Pledge to Diversity Program and leads the firm's law clerk recruiting and mentoring program.

Education

J.D., University of Denver, Sturm College of Law

M.B.A., University of Denver, College of Business

M.S., Washington State University (Molecular Genetics & Cellular Biology)

David conducted research on the role of histone protein modifications on global gene expression at WSU.

B.S., Brigham Young University (Microbiology & Art History)

While at BYU, David received a research grant to investigate two-component regulatory systems in *E. coli*.

Admissions

- Colorado
- Washington, D.C.
- U.S. Patent and Trademark Office
- U.S. District Court, District of Arizona
- U.S. District Court, District of Colorado
- U.S. District Court, District of Montana

Related Practices

- Intellectual Property

Languages

- English
- Spanish

Presentations

Enforcing your Trademark and Expressive Works, Presenter, 21st Annual Rocky Mountain Intellectual Property & Technology Law Institute (2023)

Innovation and Investment in the Cannabis Industry, Presenter, 2023 CannaMed Innovation and Investment Summit

David routinely gives presentations to his clients' executives and employees on various aspects of patent law.

Pro Bono

The Colorado Bar Association has recognized David for his pro bono work related to First Amendment online speech and the use of intellectual property to curtail free speech. In the case of *Righthaven LLC v. Hill*, Civil Action No. 1:11-cv-00211-JLK (D. Colo.), David achieved dismissal with prejudice for his client based on the strength of a motion to dismiss for failure to state a claim, lack of personal jurisdiction, improper venue, and lack of copyright ownership interest by the plaintiff. The New York Times and other national news outlets ran numerous stories about the case.

Out + About

David spends his free time with his wife and six children. His hobbies include whatever his kids want to do at that moment and continuing to pursue his passion for art history.