

## Jennifer M. Przybylski

Associate, New York



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Jennifer Przybylski represents clients in the fields of wireless networks (including 5G), wearables, webpage interfaces, IP telephony, secure networks, streaming media, and biologic testing, and pharmaceuticals. Her work encompasses both district court litigation and appellate litigation, including in the U.S. District Courts for the District of Delaware; the Eastern and Western Districts of Texas; the Northern, Southern, and Central Districts of California; the District of Colorado; the Court of Appeals for the Federal Circuit; and the Supreme Court of the United States. She has experience in all phases of litigation, including pre-suit investigations, briefing and arguing claim construction, taking and defending fact and expert depositions, preparing trial examinations, writing summary judgment and appellate briefs, arguing summary judgment motions, and arguing jury instructions and evidentiary disputes at trial. Ms. Przybylski also has arbitration experience involving international contract disputes.

Ms. Przybylski was part of the team defending Cisco in a patent litigation dispute involving four patents asserted by Straight Path IP Group in the field of IP telephony. Following a successful motion for summary judgment of non-infringement in which the Northern District of California ruled in Cisco's favor on all asserted patent claims (Straight Path IP Group, Inc. v Cisco Sys., Inc., No. 16-03463, 2017 WL 6372971 (N.D. Cal. Dec. 13, 2017)), Ms. Przybylski worked on the successful opposition to Straight Path's appeal to the Federal Circuit, resulting in a Rule 36 affirmance. Straight Path IP Group, LLC v. Apple Inc., 748 Fed. Appx. 1027 (Fed. Cir. 2019). Ms. Przybylski also worked on Cisco's opposition to Straight Path's petition for writ of certiorari before the Supreme Court, resulting in a denial of certification. Straight Path IP Group, LLC v. Apple Inc., No. 19-253 (U.S.). Ms. Przybylski worked on successfully winning an attorney's fees award of \$1.9M on behalf of **Cisco in connection with that litigation.**

Ms. Przybylski was also part of a team representing Enzo Life Sciences, Inc. that achieved favorable settlements in patent litigation against numerous defendants in federal district court. Enzo Life Sciences, an early innovator and patent holder in the area of molecular diagnostics, enforced its patents against several defendants, including Life Technologies (later part of Thermo

### EDUCATION

Georgetown University Law Center, J.D., 2015, *cum laude*; Director of Trial Advocacy, Barristers' Council; American Criminal Law Review, Symposium Editor; Special Pro Bono Pledge Honoree

Rutgers, the State University of New Jersey School of Arts and Sciences Honors Program, B.A., High Honors in Genetics, 2012, *cum laude*; Cap & Skull Society; Henry Rutgers Award Recipient

Fordham University School of Law, LL.M. in Fashion Law, 2021, *magna cum laude*, focus on Intellectual Property & Technology

### ADMISSIONS

2016, New York

2015, New Jersey

Fisher), Hologic, Illumina, Affymetrix, and several other companies.

Ms. Przybylski also represents LGBTQ asylum seekers pro bono through Immigration Equality and **obtained asylum** for a client in defensive proceedings before an Immigration Judge in New York.

Outside of her work at Desmarais LLP, Ms. Przybylski is an active member of legal associations, including the Women in Law Empowerment forum, where she serves as a representative on the Young Lawyer's Committee, and as well as a member of ChIPs and WIN. Ms. Przybylski completed a LL.M. Program through Fordham University School of Law, focusing on the legal issues surrounding the use of technology in non-traditional industries, such as blockchain ledgers, smart contracts, and the use of technology to enhance non-technical materials, such as sustainability efforts in fashion and "smart" fabrics. Ms. Przybylski is also involved in helping students interested in pursuing careers in the law, working with college-level mock trial teams preparing for competitions and elementary school students learning about the law through mock trial exercises. As an alumni All-American competitor of the American Mock Trial Association, she regularly judges undergraduate competitions run through AMTA.

During law school, Ms. Przybylski interned with Associate Justice Barry T. Albin of the NJ Supreme Court and interned with the Department of Justice, Specialized Tort Division: Vaccine Litigation Group. She also competed with Georgetown's Barristers' Council Trial Advocacy Division, where she was the Greenhalgh Tournament Director (2L), and the Director of the Trial Advocacy Division (3L). She competed at seven national competitions, including the invite-only Tournament of Champions sponsored by the National Institute for Trial Advocacy. She was also the Symposium Editor for the American Criminal Law Review and co-authored the "Intellectual Property Crimes" update in the 2014 edition.

## **Courts**

- Supreme Court of the United States
- United States Court of Appeals for the Federal Circuit
- United States District Court for the Southern District of New York
- United States District Court for the District of New Jersey
- United States District Court for the District of Colorado

## **Other Distinctions**

- Special Pro Bono Pledge Honoree, Georgetown University Law Center (2015)
- Best Advocate of the Final Round, Judge Paul Joseph Kelly Jr. Trial Competition (2014)
- Invitee & Competitor, National Institute of Trial Advocacy Tournament of Champions (2014)
- Henry Rutgers Award & High Honors in Genetics for work on an Interdisciplinary Thesis, Rutgers University (2012)
- Outstanding Intercollegiate Attorney & All-American, American Mock Trial Association (2012)

## **Memberships and Affiliations**

- Women in Law Empowerment Forum

- ChIPs
- WIN

## Representative Matters

- Representing a leading consumer electronics company in an ongoing patent infringement action involving 5G technology.
- Representing a leading technology company in an ongoing patent infringement action involving webpage interfaces.
- Representing Sound View Innovations in an ongoing dispute against multiple defendants in a patent infringement action involving streaming multimedia technology.
- Represented Monterey Research in a multi-patent, multi-defendant patent infringement action which resulted in numerous favorable settlements.
- Represented Dolby Laboratories in a dispute against Intertrust Technologies in a leading consumer electronics company in an ongoing patent infringement action involving secure transmission of electronic content 5G technology.
- Represented Cisco Systems against Straight Path IP Group in a patent infringement action involving IP telephony. After obtaining summary judgment of non-infringement on all patents, also successfully represented Cisco at the Federal Circuit, resulting in a Rule 36 Affirmance, and at the U.S. Supreme Court, resulting in a denial of Straight Path's petition for writ of certiorari.
- Represented Intellectual Ventures against FedEx Corporation in a patent infringement action, culminating in trial.
- Represented a leading consumer electronics company in a patent infringement action related to secure networks, culminating in trial.
- Represented Enzo Life Sciences in a multi-patent, multi-defendant patent infringement action which resulted in numerous favorable settlements.

## Publications

- “[Desmarais LLP Earns Pro Bono Asylum Win for Transgender Ghanaian Immigrant](#)” – *Firm News*, April 2022 – Jennifer Przybylski was part of the DLLP team that won asylum for a pro bono client.
- “[Desmarais LLP Defeats Transfer Request in Texas Patent Case](#)” – *Firm News*, February 2022 – Jennifer Przybylski was part of the Desmarais LLP team that successfully opposed transfer from the Western District of Texas.
- “[Desmarais LLP Wins \\$1.9M in Attorneys' Fees Representing Cisco](#)” – *Firm News*, May 2020 – Jennifer Przybylski was part of the Desmarais LLP team representing Cisco that successfully received an award of \$1.9M in attorneys' fees following the Northern District of California's case-dispositive grant of summary judgment of

non-infringement.

- “**Technology Group Of The Year: Desmarais**” – Law360, Feb. 4, 2020  
– Jennifer Przybylski was part of the Desmarais LLP team representing Cisco that successfully opposed an appeal to the Federal Circuit, resulting in the Federal Circuit affirming the Northern District of California’s grant of summary judgment of non-infringement.
- Lara Kasten & Jenna Przybylski, Intellectual Property Crimes, 51 Am. Crim. L. Rev. 1377 (2014)
- Abram Gabriel & Jennifer Przybylski, Sickle-Cell Anemia: A look at Global Haplotype Distribution, Nature Education 3(3):2 (2010)

## Events

- Panelist in the event “*Striving and Thriving During the Pandemic*” presented by the Women In Law Empowerment Forum on December 2, 2020, to discuss challenges women lawyers face in balancing the demands of advancing a career during the pandemic.
- Participated in the 2018 and 2023 ChIPs Mock Pitch program.