



Emily R. Whelan

PARTNER

Chair, Intellectual Property Department

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Ms. Whelan's practice includes Patent Office practice, litigation, and counseling in the field of life sciences, including chemistry, biotechnology and pharmaceuticals. Her experience includes patent strategy across the spectrum from pre-litigation investigation and litigation, to Patent Office post-grant proceedings including *inter partes* review and reexamination, to analysis of the competitive landscape and IP due diligence, as well as obtaining patent protection and portfolio management.

Practice highlights include being part of teams involved in:

- Representing innovator pharmaceutical companies in ANDA, biosimilars, and other patent litigation involving pharmaceutical and biotechnology patents;
- *Inter partes* review of patents in pharmaceutical and semiconductor fields;
- Patent prosecution and reexamination of patents in chemical technologies, including new battery materials;
- IP due diligence and analysis of competitor patents in pharmaceutical, biotechnology, medical device and food industries; and
- Managing patent portfolios including small molecules, pharmaceutical formulations, and treatment methods for pharmaceutical companies.

Professional Activities

Ms. Whelan is President-Elect of the Boston Intellectual Property Law Association. Ms. Whelan is also a member of the PTAB Bar Association.

Solutions

Recognition

- Ms. Whelan was named to *Boston Magazine's* Top Lawyers list in 2022 and 2023 in the area of Intellectual Property Rights.
- Named a 2022 "Top Woman of Law" by *Massachusetts Lawyers Weekly*.
- Recognized by *Diversity Journal* as a 2022 Woman Worth Watching in Leadership.
- Selected by peers for inclusion in the 2023–2024 edition of *Best Lawyers in America* for patent law.
- In 2020–2023, Ms. Whelan was recognized as an IP Star by *Managing IP*, a guidebook that identifies leading IP lawyers in the United States.
- Ms. Whelan was named a leading practitioner in patent law (litigation and prosecution) in 2022 and 2023 by *IAM Patent 1000: The World's Leading Patent Practitioners*.
- Ms. Whelan was named among the Top 50 Women in PTAB Trials in 2019 and 2021 by the PTAB Bar Association.
- Ms. Whelan was named to the "Top Women Attorneys in Massachusetts Rising Stars" list in the April 2016 and 2017 issues of *Boston Magazine*.
- Ms. Whelan was named a "Massachusetts Super Lawyer" in 2018–2023.
- Ms. Whelan was selected as a "Massachusetts Super Lawyers" Rising Star" in 2006, 2007, 2014, 2015 and 2016.
- *LMG Life Sciences* recognized Ms. Whelan as a "Life Sciences Star" in 2012–2023, and named her to its awards shortlists for General Patent Litigator of the Year: New England (2016, 2017) and Post-Grant Proceedings Attorney of the Year (2019).
- Ms. Whelan is named a leading lawyer in the 2018 *Life Sciences Expert Guide*.
- Named to the Lawdragon 500 Leading Litigators in America list.

Credentials

EDUCATION

AB, Chemistry, Cornell
University

summa cum laude

Phi Beta Kappa

JD, Harvard Law School

cum laude

ADMISSIONS

Massachusetts

US Patent and Trademark Office