

Kate E. Gehl

Partner

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Kate Gehl is an antitrust and competition lawyer who provides strategic counsel to clients in the areas of antitrust litigation and investigations. She has handled some of the largest multidistrict cases across the country, with some involving damages claims in excess of \$1 billion.

Kate primarily works with companies in the technology, manufacturing, pharmaceuticals, life sciences, and health care sectors. Kate is a seasoned litigator with over a decade of experience handling high-stakes cases. She listens to her clients' needs and obtains a full understanding of their business, which provides results. Kate's time as a former federal judicial clerk also makes her uniquely qualified to provide insightful strategic advice on litigation strategy, with an inside perspective.

Kate works closely with general counsel, c-suite executives, and legal teams in major companies across the United States. She also collaborates with cross-border local counsel to handle global antitrust compliance matters. Corporate clients turn to Kate for business litigation and arbitration representation, especially involving high-stakes commercial and financial disputes.

In parallel to her antitrust litigation practice, and with a reputation for practical advice, Kate advises clients on business matters related to antitrust and competition. She provides vital guidance relating to product pricing, the Robinson-Patman Act, joint ventures, collaborations with competitors, commercial agreements, participation in trade associations and industry organizations, advertising and marketing, intellectual property (including as to intellectual property licensing practices related to standard essential patents and patent pools), supply chain relationships, e-commerce, product distribution, labor and employment, and general compliance.

Kate also has particular experience litigating antitrust issues that arise in the context of patent infringement litigation or other disputes involving intellectual property.

Parallel to her antitrust litigation practice, Kate maintains a practice representing businesses in complex commercial litigation. She has significant experience in complex electronic discovery and has worked with experts to develop reports and testimony, and she has written briefs and motions at all stages of litigation in federal and state courts across the country.

Awards and Recognition

- Wisconsin Super Lawyers – Rising Stars® list (2019)

Affiliations

- Current vice chair of the ABA Antitrust Law Section Intellectual Property Committee; actively involved in local bar activities in the State of Wisconsin, the Eastern District of Milwaukee and the Seventh Circuit.

Community Involvement

- Pro bono representation through the Milwaukee Justice Center and with the Eastern District of Wisconsin Bar Association's Federal Legal Assistance Program.

Presentations and Publications

Kate regularly publishes and speaks on antitrust and compliance issues. The following represents a sampling of her work:

- Co-presenter, "Fundamentals of Antitrust" for the ABA Antitrust Law Section's Summer Series (June 14, 2022)
- Author, "[USPTO, NIST, and DOJ Antitrust Division Withdraw SEP Injunction Policy Statement](#)," Innovative Technology Insights (June 14, 2022)
- Author, "[Biden's DOJ Signals Return to Pre-Trump Administration Standard Essential Patent Policies](#)," Foley Insights (October 12, 2021)
- Co-author, "[Legal Implications of Blockchain in Supply Chain Series: What's Law Got to Do With It?](#)" Blockchain in Supply Chain Blog (October 7, 2021)
- Co-author, "[A Divided FTC Approves Omnibus Resolutions to Step Up Enforcement Actions and Votes to Withdraw the 2020 Vertical Merger Guidelines](#)," Foley Insights (September 24, 2021)
- Co-author, "[President Biden's Executive Order on Competition Could Mean Broad Changes Across a Range of Industries](#)," Foley Insights (July 14, 2021)
- Co-author, "[Biden's Executive Order on Competition Could Spell Changes for the Pharmaceutical Industry](#)," PharmaPatents Blog (July 6, 2021)
- Co-presenter, "Fundamentals – Intellectual Property," for the ABA Antitrust Law Section's Virtual Spring Meeting (May 11, 2020)
- Co-presenter, "Antitrust Update" for the ABA Antitrust Law Section's Corporate Counseling Committee (February 24, 2020)

- Co-presenter, “Ripped from the Headlines – Antitrust News You Can Use” (December 14, 2020)
- Co-presenter, “Antitrust Counseling for Trade Associations,” (December 9, 2020)
- Co-author, “[DOJ and USPTO Revise 2013 Policy Statement on Remedies for Standard Essential Patents](#),” Foley Insights (March 31, 2020)
- Co-presenter, ““What Every Lawyer Should Know About the Intersection of Antitrust and Intellectual Property Rights” (December 10, 2019)
- Co-Author, “[DOJ and FTC Signal Shifts in Antitrust Enforcement of Essential Patent Disputes](#),” Foley Insights (October 10, 2018)
- Co-Author, “[DOJ and FTC issue Updated Antitrust Guidelines on the Licensing of Intellectual Property](#),” Foley Insights (January 20, 2017)
- Editor, “Indirect Purchaser Litigation Handbook,” ABA Publications (2015)
- Co-author, State Antitrust Practice and Statutes, Fifth Edition (Wisconsin Law Chapter), ABA Publications (2014)
- Presenter, Annual Law of Product Distribution & Franchise Seminars (various antitrust topics)

Sectors

- [Artificial Intelligence](#)
- [Cloud Computing Infrastructure & Solutions](#)
- [Innovative Technology](#)

Practice Areas

- [Antitrust & Competition](#)
- [Business Litigation & Dispute Resolution](#)
- [Litigation](#)

Education

- University of Minnesota Law School (J.D., magna cum laude)
- The University of Wisconsin – Madison (B.A., with distinction)

Admissions

- Wisconsin
 - U.S. District Court for the Eastern District of Wisconsin
- U.S. Court of Appeals for the Third, Seventh and Eighth Circuits