



Mary Katherine Kulback

Partner

Chicago

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Mary Katherine specializes in intellectual property, technology, privacy, and data security matters, and assists her clients in building, commercializing, protecting, and enforcing their intangible assets

- **Corporate Advisory Services:** Mary Katherine advises on intellectual property and technology matters associated with mergers, acquisitions, asset purchases, investments, and other strategic transactions and routinely represents buyers, sellers, investors, and investees. She provides strategic guidance on optimal structures for IP and IT transactions; negotiates and drafts intellectual property provisions in purchase agreements and negotiates and draft licenses, assignments, transfers, and other agreements ancillary to the transactions; and evaluates intellectual property secret portfolios, companies' practices and agreements related to the development of IP and the protection of confidential and trade secret information, companies' IP enforcement practices and IP-related disputes, and companies' IP-related agreements in connection with such corporate transactions. Mary Katherine assists private equity firms and other clients in improving their practices to increase the value of intangible assets and mitigate risk. When IP is collateralized, Mary Katherine negotiates the IP provisions of security and credit agreements and handles perfection and release of security interests in intangibles.
- **IP / Technology / Data Counseling:** Mary Katherine advises emerging and established companies on the development, protection, licensing, use, and commercialization of creative, intellectual, and other intangible properties such as patents, trademarks, data, trade secrets, and software. Mary Katherine also counsels clients on compliance with intellectual property, privacy, and data-security laws in connection with the

development and use of such intangible assets. In addition, Mary Katherine provides risk management counseling in connection with IP related issues, including open source software. Mary Katherine works closely with Winston’s litigators to build value of intangible assets and mitigate risk associated with the development and use of intangible assets.

Mary Katherine is a member of Winston’s Regulated Personal Information (RPI) team. RPI is a collaboration between the firm’s Transactions and Litigation departments that is designed to provide clients with a full-service team of attorneys to address the increasing number of privacy laws that include private rights of action. Mary Katherine is also a member of the International Trademark Association (INTA) and the Licensing Executive Society (LES).

- **Commercial Contracting:** Mary Katherine drafts and negotiates a wide variety of agreements involving intellectual property, technology, privacy, data security, and commercial issues, including assignments, licensing and cross-licensing agreements; development agreements; joint venture agreements; strategic alliance agreements; research, development, and cooperation agreements; manufacturing agreements; service agreements; supplier agreements; reseller agreements; software as a service (SaaS), cloud service agreements, and other sourcing and IT-related agreements; consulting agreements; e-commerce agreements, and confidentiality agreements.

Recent Experience

Motorola Solutions Acquires Silent Sentinel

Sale of International Cellulose Corporation Assets to Saint-Gobain

Winston Represented Arthur J. Gallagher & Co. in its Acquisition of The Rowley Agency

Represented TJC, LP in its Acquisition of TIDI Products Holdings, LLC, and its Subsidiaries

Winston Represented Interlock Equity in Investment in evolv Consulting

ISG Enterprises Acquisition of Rose

ISG Enterprises Acquisition of Apple

Arthur J. Gallagher Acquisition of Clements Worldwide

Camelot Communications, Ltd. acquired by PMG Worldwide

ProFrac Holdings II, LLC, Acquires Monarch Silica, LLC

Recognitions

- *Best Lawyers: Ones to Watch[®] in America*, Intellectual Property Law and Mergers & Acquisitions Law (2021-2024); Litigation- Intellectual Property (2022-2024); and Corporate Law (2024)
- *Lawdragon’s* “500 X – The Next Generation,” 2023

Credentials

EDUCATION

Mary Katherine received a B.A. in the Program of Liberal Studies from the University of Notre Dame in 2009. She

received her J.D., *cum laude*, and the Certificate of Intellectual Property, from Chicago-Kent College of Law in 2013. While at Chicago-Kent, she was awarded the ABA-BNA Award for Excellence in Intellectual Property, the Dolores K. Hanna Trademarks Prize, and CALI Awards for Highest Grade in her Entertainment Law, Trademarks, and Unfair Competition, Intellectual Property and Technology Licensing, and Patent Law courses. She served as the associate editor of the *Chicago-Kent Journal of Intellectual Property* and secretary of the Chicago-Kent Sports & Entertainment Society.

ADMISSIONS

- Illinois

Related Insights & News

SPEAKING ENGAGEMENTS

- “Mastering Contracts: Navigating Privacy Requirements and Negotiations for Organizational Protection,” Winston & Strawn Webinar, Panelist, Aug. 15, 2023

RECOGNITIONS

Winston Attorneys Recognized in *Best Lawyers: Ones to Watch® in America* 2024

AUGUST 17, 2023

RECOGNITIONS

Winston Attorneys Featured on *Lawdragon’s* Inaugural 500 X – The Next Generation List

JULY 7, 2023

NEWS

2022 Pro Bono Impact Report

MAY 1, 2023

PRESS RELEASE

Winston & Strawn Names 19 New Partners

DECEMBER 6, 2022

RECOGNITIONS

Winston & Strawn Attorneys Recognized in *Best Lawyers: Ones to Watch in America* 2023

AUGUST 18, 2022

RECOGNITIONS

Winston & Strawn Attorneys Recognized in *Best Lawyers: Ones to Watch in America* 2022

AUGUST 19, 2021

RECOGNITIONS

Winston Women Recognized in the 2021 Women in the Law edition of *Best Lawyers*
JULY 1, 2021

RECOGNITIONS

Winston & Strawn Attorneys Recognized in Best Lawyers: Ones to Watch 2021
AUGUST 20, 2020

PRO BONO IN ACTION

Pro Bono Reporter – Fall 2018
FALL 2018

BLOG

TCPA Suit Stayed Pending Declaratory Ruling from the FCC
NOVEMBER 27, 2017

BLOG

Working Party Publishes Criteria to Determine When a Data Protection Impact Assessment Is Required Under GDPR
NOVEMBER 17, 2017

BLOG

LA Lakers Not Entitled to Insurance Coverage for Violation of TCPA, Ninth Circuit Holds
NOVEMBER 13, 2017

Capabilities

Intellectual Property

Advertising Litigation

Trademark Litigation, Prosecution & Brand Protection

Copyright-Infringement Litigation

IP Licensing & Due Diligence

Privacy & Data Security

Private Investment Funds

Privacy: Regulated Personal Information (RPI)

Financial Services

Health Care

Media & Entertainment

Sports

Technology, Media & Telecommunications

Artificial Intelligence (AI)