



A co-chair of the firm's Data Security and Privacy practice, Jason Bernstein is a business adviser who helps clients develop, manage, protect and leverage their IP assets and valuable data. By offering real depth in a multitude of disciplines and industries, Jason is appreciated for his proven business acumen and creative problem-solving ability.

Inventions, innovations and information, particularly information security and privacy matters, are at the core of Jason's practice. With more than three decades of experience, Jason advises on strategic planning for and the protection of client brands and creations via patents, trademarks and copyrights, as well as negotiates a myriad of technology and business agreements involving valuable IP.

Jason's clients include startups, universities, and established technology, manufacturing and services companies. His industry experience ranges from medical devices to organic and polymer chemistry to pharmaceuticals, mechanical apparatus and software. Regardless of the client or industry, Jason helps companies minimize their exposure to data security and privacy risks. He works with clients to proactively improve data security risk management and develop policies and procedures for incident response.

He also advises on compliance with laws such as Europe's General Data Protection Regulation (GDPR) and California's CCPA/CPRA. He also helps clients develop or improve their website terms of use/service, cookie notices, privacy policies, infosec policies, and other external and internal documents.

Jason also works with companies after a data breach to evaluate the breach, notify affected individuals and agencies, and guide the company in communications to minimize effects on brand reputation. As a result, Jason is a frequent speaker nationally to various organizations and conferences on how companies can respond to cybersecurity incidents and emerging cybersecurity threats, improve their risk management, and more effectively negotiate agreements with customers and vendors.

Jason A. Bernstein

Partner

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EDUCATION

University of Miami, (J.D.), 1983
Vanderbilt University, (B.S.), Chemistry, 1980

BAR ADMISSIONS

Florida
Georgia
U.S. Patent and Trademark Office

LANGUAGES

English

PRACTICES

Advertising and Marketing
Biotechnology
Copyrights
Corporate
Data Security and Privacy
Emerging Companies and Venture Capital
Intellectual Property
International IP
Internet and Technology
IP Strategy and Management
Licensing
Logistics and Transportation
Mergers and Acquisitions - Intellectual Property
Nanotechnology

In addition, Jason advises on strategic IP planning and due diligence investigations related to mergers and acquisitions, trademark selection and clearance, registration, licensing and infringement. He has worked with a wide range of trademark portfolios in the restaurant, healthcare, cosmetics, nutraceuticals, software and hardware, apparel, medical products, manufacturing and financial services industries.

Moreover, Jason assists vendors/service providers and customers in drafting and negotiating technology-related agreements that improve profitability, reduce expenses, minimize exposure to liability and reduce the time to close deals that are critical to the bottom line. He drafts and negotiates an average of over 150 technology-related agreements each year involving licensing, EULAs, intellectual property, technology transfer, material transfer, manufacturing, distribution, manufacturing, supply, support, outsourcing, cloud hosting, data storage and processing, software and website development, R&D, CRADA, joint development, M&A, and other areas. Notably, clients rely on Jason to help improve their contracting processes by evaluating current approaches so as to realize the full potential for ROI and by designing professional training programs that improve negotiating effectiveness.

Prior to joining the firm, Jason was a partner in two law firms, serving as managing partner of one. Jason also worked in-house as the director of business development in multifocal lens technology for Ciba Vision Corporation, and was patent and general counsel for Murex Corporation, a medical device and immunoassay diagnostics manufacturer. As a result, Jason understands, from practical, first-hand business experience, the big picture of the challenges and obstacles his clients face on a daily basis.

In addition, Jason is co-inventor on U.S. Patent Nos. 10,724,275; 9,777,512; 8,240,113; 6,855,424; 6,834,762; and D473,113.

Jason is married and has three sons. He enjoys playing tennis and learning fingerstyle guitar, as well as improvisational cooking.

Professional and Community Involvement

Chair, State Bar of Georgia Privacy and Technology Law Section, 2022-2023

Member, Board of Directors, TurningPoint Breast Cancer Rehabilitation

Advisory Committee, Pro Bono Partnership of Atlanta

Advisory Board, HealthMPowers Inc.

Advisory Board, Dad's Garage Theatre Company

Advisory Council, WABE (Atlanta's NPR and PBS radio and television affiliate)

Member, American Intellectual Property Law Association

Member, International Trademark Association (INTA)

Opinions

Patent Litigation

Patent Services - Counseling and Prosecution

Post-Grant and Inter Partes Review

Software and Technology Transactions

Technology Transactions

Trade Dress

Trade Secrets

Trademark Oppositions and Cancellations

Trademarks

INDUSTRIES

Agriculture and Food

Member, International Association of Privacy Professionals

Former chair, State Bar of Georgia Intellectual Property Section,
1999-2000

Member, Georgia Lawyers for the Arts.

Former board member, Atlanta Symphony Orchestra

Former board member, Product Development and Management
Association, Georgia Chapter

Honors

Georgia Top-Rated Lawyer 2022, ALM Global

Recipient, Atlanta IP Inn of Court Pro Bono Attorney of the Year Award,
2020-2021

American Lawyer Media and Martindale-Hubbell, Top Rated Lawyer in
Intellectual Property, 2013

Georgia Trend Magazine, Georgia Legal Elite 2003, 2008, 2021

Pro Bono Partnership of Atlanta Volunteer of the Year, 2012

Martindale-Hubbell AV-rated