

Adam Unikowsky

Partner

aunikowsky@jenner.com

Office

Washington, DC

Phone

+1 202 639 6041

Areas of Focus

Aerospace and Defense

Appellate and Supreme Court

Communications, Internet, and Technology

Intellectual Property

Life Sciences



Overview

When businesses, individuals, and trade associations navigate the appeals process, they call upon Adam Unikowsky to provide a carefully crafted brief and a powerful oral argument. With extensive appellate experience, including fifteen Supreme Court arguments, Adam provides a fresh look at the facts and the law and develops the strongest possible appellate strategy. Adam also handles briefing and oral arguments in federal district court at all phases of litigation.

Adam’s appellate and Supreme Court experience spans a wide range of industries and subject matter, including securities litigation, Indian law, patents, civil procedure, and constitutional law. He draws on that broad-based experience to develop the approach best suited to his clients’ business needs. With his depth of insight into the appellate and Supreme Court litigation process, Adam frequently collaborates with larger legal teams in developing strategies across multiple cases and courts. Undergraduate and graduate degrees in electrical engineering and computer science heighten Adam’s understanding of the technical nuances at play in his cases.

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The key to success in appellate litigation comes down to two things: having a principled position on every issue and being scrupulously honest about the facts.”

Areas of Focus

- Aerospace and Defense
- Appellate and Supreme Court
- Communications, Internet, and Technology
- Intellectual Property
- Life Sciences
- Native American Law
- Patent Litigation and Counseling
- Technology
- AI Task Force
- Tariff Task Force
- Education
- Critical and Emerging Technologies
- First Amendment and Content Moderation

Representative Matters

- ***Becerra v. San Carlos Apache Tribe / Becerra v. Northern Arapaho Tribe:*** Briefed and argued Supreme Court case on behalf of the Northern Arapaho Tribe. The Supreme Court held that the Tribe was entitled to millions of dollars of overhead costs associated with healthcare services provided using Medicare and Medicaid funds.
- ***Kokesh v. SEC:*** Briefed and argued a Supreme Court case establishing a statute of limitations for SEC disgorgement. The Supreme Court unanimously rejected the consensus of most lower courts and concluded that disgorgement was subject to a five-year statute of limitations, substantially constraining the SEC's enforcement authority under the securities laws and the Foreign Corrupt Practices Act.
- ***Washington Department of Licensing v. Cougar Den:*** Briefed and argued a historic Supreme Court case on behalf of a tribal corporation. The Yakama Treaty of 1855 established the Yakama Nation's right to "travel upon all public highways." In *Cougar Den*, the Supreme Court held that the Yakama Treaty preempted a Washington state fuel tax as applied to fuel being transported to the Yakama reservation.
- ***Sveen v. Melin:*** Briefed and argued the first Supreme Court case concerning Contracts Clause in decades. The Court concluded that statutes revoking life insurance beneficiary designations upon divorce did not violate the Contracts Clause.
- ***Grand River Enterprises Six Nations v. Knudsen:*** Briefed and argued Ninth Circuit case in federal preemption dispute. The Ninth Circuit reversed and remanded with instructions to enter a preliminary injunction in our client's favor on the ground that the Montana Attorney General's actions were preempted by the federal Food, Drug, and Cosmetics Act.

- **Barry v. Cboe Global Markets, Inc.:** Briefed and argued a Seventh Circuit case affirming dismissal of Commodities Exchange Act and Securities Exchange Act claims. The court overturned decades-old precedent and heightened the standard for pleading “bad faith” under the Commodities Exchange Act.
- **MV3 Partners v. Roku:** Briefed and argued a Federal Circuit case affirming jury verdict of noninfringement in favor of patent defendant.

Credentials

Admissions

- District of Columbia, 2009
- New York, 2008

Education

- Harvard Law School, JD, *magna cum laude*, 2007
- Massachusetts Institute of Technology, MEng, 2004
- Massachusetts Institute of Technology, BS, 2003

Court Admissions

- US Supreme Court
- US Court of Appeals, First Circuit
- US Court of Appeals, Second Circuit
- US Court of Appeals, Third Circuit
- US Court of Appeals, Fourth Circuit
- US Court of Appeals, Fifth Circuit
- US Court of Appeals, Sixth Circuit
- US Court of Appeals, Seventh Circuit
- US Court of Appeals, Eighth Circuit
- US Court of Appeals, Ninth Circuit
- US Court of Appeals, Tenth Circuit
- US Court of Appeals, Eleventh Circuit
- US Court of Appeals, District of Columbia Circuit
- US Court of Appeals, Federal Circuit
- US District Court, District of Columbia
- US District Court, Northern District of Florida
- US Court of Federal Claims

Clerkships

- Hon. Antonin Scalia, US Supreme Court, 2010-2011
- Hon. Douglas H. Ginsburg, US Court of Appeals, District of Columbia Circuit, 2007-2008

Service / Recognition

Awards

- *Chambers USA*, Appellate Law (Nationwide), 2018-2025
- *The Best Lawyers in America*, Appellate Practice, 2021-2022, 2026
- Capital Pro Bono High Honor Roll, 2022, 2024-2025
- *Legal 50*, Next Generation Lawyer, Appellate, Supreme Courts (States and Federal), 2020, 2021; Dispute Resolution, Appellate, Supreme Courts (States and Federal), 2017, 2020, 2021; Media, Technology and Telecoms, Telecoms and Broadcast, Regulatory, 2016
- *Washingtonian*, Top Supreme Court Lawyers, 2017, 2018
- *Law360*, MVP of the Year, 2017; Rising Star Appellate, 2017; Appellate MVP, 2025
- *Lawdragon 500 Leading Litigators in America*, 2024-2026
- *The National Law Journal*, DC Rising Star, 2017
- LGBT Bar Association, Best LGBT Lawyers Under 40, 2017
- *Washington, D.C. Super Lawyers*, Appellate, General Litigation, Communications, and Intellectual Property Litigation, 2019-2020; 2023; Rising Star, 2014-2018
- Albert E. Jenner, Jr. Pro Bono Award, 2014