

# Florida patent lawyer finds world of improv ‘liberating’

By Brian Cox

When Florida attorney Kelly Swartz writes a patent claim, her word choice must be exact. Every word carries a nuanced and specific meaning. The use of an inaccurate word can result in significant consequences.

But on Saturday nights, when she’s performing improv on stage, everything is different.

As part of the Funky Dog Improv troupe, Swartz can let loose and express whatever comes into her mind without concern. She’s content to figure out all the definitions and meanings of her words as the scene unfolds.

“Improv is such a contrast from my job as a patent attorney,” she says. “You can’t be wrong in improv. It’s liberating.”



**Kelly performs improv most Saturday nights with the Funky Dog Improv troupe in Melbourne, Fla.**



Swartz took her first improv class for a popular practical reason: she was looking to develop her networking skills. While she’d always felt confident speaking in front of people, she was less comfortable engaging in small talk at professional events.

“I think being up on stage and making things up and being in the moment and actively listening helps to get rid of a certain degree of self-consciousness,” says Swartz.

By the end of her first class, she was hooked and has been performing improv ever since.

“I think I found myself in improv,” she says. “I think the creativity was always there. Improv feels like coming home.”

Swartz’s ability to balance seemingly opposite worlds – precision and spontaneity, discipline and play – runs through many chapters of her life.

A Florida native who grew up just north of Orlando, Swartz was exposed early to the responsibilities and autonomy that come with owning a small business. Her father, Kenneth Gatson, was an optometrist who ran his own practice, and her mother, Elaine, managed the office.

As a teen, Swartz swam in high school and completed her first triathlon the summer before college. She remains an avid marathon runner. Running is something of a family legacy, actually. Her father began running marathons when Swartz was young, sparking her own interest. Today, she runs six days a week, averaging about 40 miles a week and has designs on running in the world-class marathons in Chicago and Berlin.

After high school, Swartz briefly considered becoming a radiologist, but an aptitude in math nudged her toward engineering. After earning a computer engineering degree from the University of Florida, she spent five years as an electrical engineer with a Fortune 100 company. But the experience didn’t fit. Being “one of many engineers” didn’t appeal to her; she felt like a cog in the wheel. She was living in the Space Coast city of Melbourne at the time with her husband, Neil, also an electrical engineer, and didn’t feel she could relocate to pursue other career options. She began looking at law when a fellow engineer became a patent attorney.

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**Florida attorney Kelly Swartz recently completed the Pumpkin Spice Half Marathon in November 2025. An avid runner all her life, Swartz ran her first triathlon the summer before she started college.**

She enrolled at Barry University School of Law in Orlando and discovered that school was almost like riding a bike.

She attended classes at night, juggling a demanding academic schedule with a growing family. Her first daughter was born the same week she was scheduled to take her 2L exams while her second daughter was born the same month she graduated (January), prompting her to wait for the July bar exam “so that she could be getting some sleep.” Less than a year into practice, she had her son. With three children under the age of 4, time became her most precious resource.

Though she had an early interest in family law, it didn’t take long for her to settle on patent law, which offered her a way to use her engineering background.

“I gravitated to patent law because it was something that would distinguish me from other attorneys and there was a need for it,” she says.

She first worked for a fellow engineer-turned-patent-attorney who hired her shortly before she graduated. The experience was

formative, but the firm’s limited flexibility conflicted with her reality at home. With three small children and no ability to shape her schedule, she faced a choice: accept a structure that didn’t work or create one that did.

“That’s not how I wanted to live,” she says. “Starting my own firm gave me autonomy over my time, which was the most important thing to me.”

Running a solo practice gave her control, but it also came with its own litany of challenges.

“I was out there on my own, having to do everything,” she says.

From onboarding clients to handling administrative tasks, the weight of every detail fell to her. It was little things that sometimes caught her by surprise.

Like chairs.

“I had to buy so many chairs,” she says with a laugh. “You need so many chairs in an office. I just never planned for how expensive chairs are and you need them everywhere.”

For about five years, she managed the tradeoffs that come with owning a firm. She relished the freedom but missed the support system that colleagues in a law firm can offer.

She was familiar with attorneys at Widerman Malek, P.L. in Melbourne because the firm rented the first floor of the same building where she’d worked early in her career on the third floor. She already knew one of the partners, and they stayed in touch. Over time, conversations turned into the possibility of her joining the firm.

“It took about a year for me to be confident it was a good fit,” she says. “It was a courtship.”

She met with every attorney over lunch, determined to know exactly who she would be tying her professional identity to if she joined the firm. She wanted assurance that their personal and professional values aligned – especially around family life, community involvement, and ethical practice.

“It’s a ‘marriage’ and it’s a personality fit,” she says. “I really wanted to find a home.”

She joined Widerman Malek in 2015 and embraced the benefits of being part of a firm immediately.

“To just be able to practice law was liberating,” she says, noting that the ability to share ideas, refer work internally, and get perspective from colleagues transformed her day-to-day experience. “What an opportunity to be able to talk through things and get different perspectives. It is just invaluable.”

She became an equity partner three years after joining the firm. Her practice spans working with medical devices, mechanical products, electronics, software, and even heart-monitoring technology – a reflection of the engineering landscape in Brevard County, home to the nation’s space program, and a complement to her engineering background.



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“I know a little bit about a whole lot of things,” she says.

She’s worked with startup companies to create clarity of their branding concept while developing a timeline for protecting intellectual property assets, which maximizes protection of the assets while controlling initial capital outlay. She’s counseled inventors regarding various strategies related to protecting and monetizing their inventions, including identifying the appropriate scope of patent protection, creating licensing strategies, drafting patent claims directed to mechanical, electrical, and software-based inventions, and establishing trade secret protocols. She’s also helped growth stage businesses identify and prioritize the protection of existing intellectual property assets, including trademarks and patent-eligible subject matter, to create value for the businesses and position them as strong candidates to receive investment from funders.

A few years ago, she also earned an LL.M. in taxation.

“Our firm has seen that there is a need for tax advice in the area,” she says. “It helps us to provide a well-rounded corporate environment to our clients.”

The blend of patent and tax keeps her engaged.

“It also switches up my day a bit because they’re very different,” she says. “It’s nice to be able to have that change from writing a patent to reviewing the tax code.”

Outside of work, Swartz channels her energy into both creative and physical pursuits. She makes cheese – cheddar, feta, gouda, cream cheese, mozzarella – and maintains a small “cheese corner” in her kitchen with a dedicated cheese fridge. A partner introduced her to the hobby, and she has embraced it fully. She also knits hats, sweaters, and Christmas stockings. And she shares her home with three rescue dogs, Sherman, Jewels, and Belle. Belle runs with her.

Her children – Walker, 19; Nadine, 17; and Ian, 16 – are now nearly grown, but her instinct to stay busy remains unchanged.

She serves as chair of the board for weVENTURE, a nonprofit organization focused on accelerating sustainable business growth for women entrepreneurs, and on The Florida Bar Board of Legal Specialization and Education committee. She has also served as a board member of the Brevard Schools Foundation, Brevard Bar Foundation, and Brevard County Bar Association. She further gives back to her community as a member of a public school advisory committee and co-coach of a high school mock trial team.



**Kelly runs 40 miles a week and enjoys running with Belle, one of her three rescue dogs.**

“I need something to do,” she says with a wry smile.

She is a natural compartmentalizer, capable of hyper-focusing on whatever task is in front of her, whether that’s drafting a patent, making a wheel of gouda, or stepping onto an improv stage.

“I want to be an exceptional lawyer and provide exceptional services,” says Swartz, “and I also want to be an exceptional human in my non-work life and be involved in the community and be the type of person my kids, friends, and parents can be proud of.”