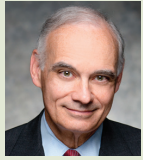


## Hughes Hubbard's Patent and IP litigation team is led by:



**James W. Dabney**, who focuses on contentious matters involving patents in diverse technical fields. Mr. Dabney was lead counsel for the petitioner in KSR International Co. v. Teleflex Inc. He has tried numerous cases to verdict over a litigation career that spans 35 years. Mr. Dabney is also an Adjunct Professor of Law at Cornell Law School. He can be reached at **+1 212-837-6803** or by e-mail at **james.dabney@hugheshubbard.com**.



**Stephen S. Rabinowitz, M.D.**, who focuses on patent litigation with an emphasis on pharmaceuticals and biotechnology. He has litigated patent cases concerning recombinant DNA technology, nucleic acid amplification, proteins, medical diagnostics, dietary supplements, and pharmaceutical compositions, including in Hatch-Waxman actions. He can be reached at **+1 212-837-6807** or by e-mail at **stephen.rabinowitz@hugheshubbard.com**.



**Patrice P. Jean, Ph.D.**, who focuses on patent litigation with emphasis on matters involving pharmaceutical, chemical, and biological technologies including biologics and biosimilars. She has extensive experience representing innovator companies in asserting and defending patents protecting subject matter embodied in FDA-approved compositions, diagnostic methods, and medical devices. She can be reached at **+1 212-837-6264** or by e-mail at **patrice.jean@hugheshubbard.com**.



**John F. Duffy**, who is Of Counsel to Hughes Hubbard and the Samuel H. McCoy II Professor of Law at the University of Virginia School of Law. Professor Duffy is a former law clerk to Justice Antonin Scalia, a registered patent attorney, co-author of a widely used patent law casebook, and author or co-author of numerous articles on intellectual property and administrative law. He can be reached at **+1 212-721-4652** or by e-mail at **john.duffy@hugheshubbard.com**.

## Hughes Hubbard & Reed LLP Patent Litigation



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## Our team is renowned for patent litigation that has changed the legal landscape.

Hughes Hubbard's Patent and IP Litigation lawyers have argued and won cases at the highest levels including three cases before the Supreme Court of the United States.

The team includes leaders in their field:

- Jim Dabney is co-chair of the practice and an Adjunct Professor of Law at Cornell Law School.
- Dr. Stephen Rabinowitz is co-chair of the practice and an authority on biomedical and pharmaceutical matters.
- Dr. Patrice Jean represents leading and start-up pharmaceutical, chemical, and biotechnology companies in all areas of patent law.
- John Duffy, Of Counsel, is a Professor of Law at the University of Virginia School of Law and co-author of a widely used patent law casebook.

## We offer a deep bench of trial and appellate litigators in all offices.

Hughes Hubbard has a long history of handling complex litigation in diverse technical fields, including product liability and ITC trade cases.

Our lawyers are well trained to handle trials of cases involving patented technologies; many of our lawyers begin working on trials their first year.

## Advantages to being trial litigators:

- Because of our trial and appellate experience we know the beginning of the trial, when we plan the trial strategy, frequently shapes the ending.
- We can shape the trial for the possibilities of appeal.
- We know how to present a compelling case to a jury.
- Because we are trial lawyers, we do not shy away from trial, and our opponents know our courtroom prowess, which often leads them to settle.

# A Track Record of Success and Thought Leadership

**KSR Int'l Co. v. Teleflex, Inc.**, 550 U.S. 398 (2007) (won dismissal of claims for alleged infringement of three patents claiming vehicle control pedal apparatus; successfully urged reinterpretation of judicial authority under 35 U.S.C. § 103(a)).

**Already, LLC v. Nike, Inc.**, 133 S. Ct. 721 (2013) (won dismissal of claims for alleged infringement of patent-like rights claimed in athletic shoe configuration; successfully urged a reinterpretation of Article III mootness doctrine).

**Holmes Group, Inc. v. Vornado Air Circulation Sys., Inc.**, 535 U.S. 826 (2002) (won dismissal of claims for alleged infringement of patent claiming ducted fan apparatus; successfully urged reinterpretation of 28 U.S.C. § 1295(a)).

**Areva Inc. v. Babcock & Wilcox Co.**, No. 11-006236 (Va. Cir. Ct. Mar. 5, 2015) (won jury trial and judgment awarding more than \$16 million on claims for breach of a sublicense of nuclear power technology and trade secret misappropriation).

**Arthrex, Inc. v. Smith & Nephew, Inc.**, No. 13-290 (U.S. Dec. 9, 2013) (defeated petition seeking review of judgment awarding Smith & Nephew more than \$85 million in damages for infringement of patent disclosing resilient suture anchor apparatus and methods for performing orthopedic surgery).

**Pregis Corp. v. Kappos**, 700 F.3d 1348 (Fed. Cir. 2012) (won jury trial and dismissal of claims for alleged infringement of four patents claiming air pillow packaging machinery and films; all 23 asserted claims held invalid for obviousness, not infringed, or both).

**Intervet, Inc. v. Merial Limited et al.**, No. 06-00658 (D.D.C. 2009) (achieved favorable ruling in a patent litigation, including summary judgment of noninfringement, for Intervet).

**Novartis Vaccines & Diagnostics, Inc. v. Hoffmann-La Roche Inc.**, 587 F.3d 1333 (Fed. Cir. 2009) (won writ of mandamus directing transfer of venue from the Eastern District of Texas in pharmaceutical patent case involving treatment of HIV infection; case then settled).

**Carnegie Mellon Univ. v. Hoffmann-La Roche Inc.**, 541 F.3d 1115 (Fed. Cir. 2008) (won dismissal of claims for alleged infringement of patents claiming bioengineered plasmids for expressing recombinant DNA polymerase enzymes; all 72 asserted claims held not infringed or invalid for lack of sufficient written description).

**Rosenruist-Gestao e Servicos LDA v. Virgin Enters. Ltd.**, 511 F.3d 437 (4th Cir. 2007), cert. denied, 553 U.S. 1065 (2008) (won decision reinterpreting 35 U.S.C. § 24 and requiring alien applicant to appear for in-person deposition in the United States).

**eSpeed, Inc. v. BrokerTec USA, LLC**, 404 F. Supp. 2d 575 (D. Del. 2005), *aff'd*, 480 F.3d 1129 (Fed. Cir. 2007) (won patent jury trial and dismissal of claims for alleged infringement of patent claiming electronic trading methods; all 4 asserted claims held invalid for insufficient written description).

**Teva Pharmaceuticals USA v. Sandoz, Inc., et al., and Teva Pharmaceuticals USA v. Mylan Pharmaceuticals et al.**, Consolidated Nos. 08-7611 and 09-8824 (S.D.N.Y. 2012) (represented Teva in consolidated Hatch-Waxman litigations concerning proposed generic equivalents to Teva's blockbuster multiple sclerosis drug COPAXONE®).

