



JOSHUA E. NEY, PH.D. SHAREHOLDER

524 South Main Street | Suite 200
Ann Arbor, MI 48104

P 734.302.6001
F 734.994.6331
jney@brinksgilson.com

EDUCATION

J.D., cum laude
University of Michigan Law School, 2009
Ph.D., Chemistry
University of Michigan, 2007
B.A., magna cum laude, Chemistry
Dartmouth College, 2002

BAR ADMISSIONS

Michigan
U.S. Patent & Trademark Office
U.S. Dist. Court, E.D. Michigan

Dr. Joshua Ney focuses his practice on patent litigation and prosecution in the pharmaceutical, biotechnology, and chemical industries. His litigation experience includes handling matters in U.S. district courts as well as inter partes review proceedings before the Patent Trial and Appeals Board.

Joshua represents pharmaceutical clients in patent litigation and prosecution matters involving new chemical entities, second medical uses, pharmaceutical formulations, synthetic processes, and pharmaceutical polymorphs. His experience covers a range of therapeutic applications, including antiviral therapies, antibiotics, cardiovascular disease, central nervous system disorders, Huntington's Disease, lower urinary tract disorders, menopausal symptoms, osteoarthritis, and pain management. In addition to his pharmaceutical practice, Joshua has litigated and prosecuted patents related to chemical products and processes. He also has experience providing clearance analyses for new products and conducting due diligence for clients involved in financing transactions, mergers, and acquisitions.

With a Ph.D. in organic chemistry that focused on organic synthesis and synthetic methodology, Joshua has the technical background necessary to understand his clients' innovations. Paired with his attention to detail and strong communications skills, this allows Joshua to guide clients so they make informed, strategic decisions about protecting and defending their valuable patent assets. Proactive in his approach, Joshua is always thinking many steps into the future to anticipate both risks and opportunities. His clients benefit significantly from Joshua's forward-thinking approach.

EXPERIENCE | LEGAL

- **Brinks Gilson & Lione**, Ann Arbor, Michigan
Associate, September 2010–Present
Summer Associate, May 2009–August 2009
- **Conservation Law Foundation**, Boston, Massachusetts
Law Clerk, June 2008–August 2008

EXPERIENCE | OVERVIEW

- Representing pharmaceutical client in ongoing patent litigation involving a drug to treat hot flashes and other menopausal symptoms.
- Representing pharmaceutical client in ongoing patent litigation involving a topical gel for treating osteoarthritis.

Biographies | Joshua E. Ney, Ph.D.

- Representing client in ongoing patent litigation related to polypropylene acoustical insulation.
- Represented pharmaceutical client in patent litigation related to a methylphenidate transdermal patch, Obtained partial summary judgment rulings of non-infringement and invalidity due to inadequate written description. The resulting settlement permitted an expedient product launch for client.
- Represented plaintiff motorcycle parts manufacturer in trademark and copyright infringement litigation related to client's part numbers and product photographs. Obtained consent judgment finding that defendants were infringing client's intellectual property and enjoining further infringement.

PRACTICE GROUPS

Patent Prosecution

Trademarks & Unfair Competition

Litigation

Post-Grant Patent

Copyright

AREA OF FOCUS

Biosimilars

Biotechnology & Pharmaceutical

FORWARD THINKING

Alerts

- Federal Circuit Upholds Same-Day Continuations, June 27, 2016
- Supreme Court Curtails Use of Patent Rights to Enforce Post-Sale Restrictions, May 31, 2017
- BPCIA Preempts State Law Remedies for Biosimilar Applicant's Refusal to Disclose Abbreviated Biologics License Application, December 18, 2017
- Federal Circuit Rejects Tribal Sovereign Immunity Defense in IPR Proceedings, July 24, 2018
- Federal Circuit: Written Description of Claimed Result Requires More Than Recitation of Claim Language, June 12, 2019

HONORS

- Named, Up & Coming Lawyers, *Michigan Lawyers Weekly*, 2018 (PDF interview)
- Michigan Super Lawyers, Rising Star, 2015-2018
- Top Young Lawyer, *DBusiness* magazine, 2014
- IP Star, *Managing Intellectual Property* magazine, 2013, 2014, 2016-2017
- Article Editor, *Michigan Telecommunications and Technology Law Review*
- American Chemical Society Division of Organic Chemistry Graduate Fellowship, University of Michigan
- Pfizer Graduate Fellowship in Organic Synthesis, University of Michigan

AFFILIATIONS

- American Chemical Society
- State Bar of Michigan

TECHNICAL BACKGROUND

- Biopharma

LANGUAGES

- German