

BRINKS  
GILSON  
& LIONE  
100 YEARS OF IP LAW

THE WAY FORWARD  
IN LITIGATION



**SUCCESSFUL  
APPROACHES  
TO IP DISPUTES**



# STRATEGIES ALIGNED WITH THE TIMES



The path to successful resolution of intellectual property disputes has changed in recent years. The America Invents Act created new opportunities and procedures for patent challenges. The ITC is increasingly becoming the key forum to block importation of infringing products. Global litigation strategies are top-of-mind for every business, demanding a sophisticated understanding of regulatory, jurisdictional and evidentiary issues in multiple legal systems.

Brinks has the legal, technical and advocacy skills to help you stay a step ahead of your competition in these challenging times. Our litigators are experienced and respected in every forum where patent, trademark, copyright and trade secret rights are contested. We have a track record of success that is second to none.



THE WAY FORWARD IS

# 450+ PATENT CASES IN 10 YEARS

## INDUSTRY

## AT ISSUE

## RESULT

### BioPharma

Client sought FDA approval of generic version of the drug, Crestor® (U.S. Market: \$5 billion). Competitor filed Hatch-Waxman action alleging infringement of patents for methods not recited in proposed drug label.

Won dismissal of district court action. The Federal Circuit Court of Appeals affirmed.

### Telecom

Client accused of infringing 10 patents declared essential to cellular communication standards in two separate ITC proceedings. Complainant sought to exclude client from U.S. market. More than \$1 billion at stake.

ITC found all asserted patents were invalid and/or non-infringed. The Federal Circuit Court of Appeals affirmed.

### Consumer Goods

Client accused competitor of trademark infringement in the unlawful importation and sale of “grey market” goods.

Won multimillion dollar jury verdict after a two-week trial.

### Arbitration

Client accused competitor of misappropriation of trade secrets, breach of contract and tortious interference. The matter was arbitrated before a three judge panel.

Won award of \$25+ million after three-week arbitration trial.

### Medical Device

Client accused of infringing four patents relating to endovascular stent grafts (U.S. Market: \$500+ million).

Won summary judgment of non-infringement. The Federal Circuit Court of Appeals affirmed.

### Internet

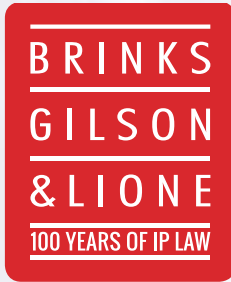
Client accused competitor of infringing important trademark relating to search engine.

Won preliminary injunction preventing competitor’s use of the trademark. The Ninth Circuit Court of Appeals affirmed. Case later settled for \$20+ million.

### Consumer Goods

Client accused of infringing patents relating to alleged method to make tobacco safer (U.S. Market: \$1 billion).

Won jury verdict of non-infringement and invalidity after five-week jury trial. The Federal Circuit Court of Appeals affirmed based on non-infringement.



# MASTERING THE POST-AIA UNIVERSE

## AT A GLANCE

**1917**  
FIRM WAS FOUNDED

ALL ASPECTS OF **IP**

**100+**  
LAWYERS, SCIENTIFIC ADVISORS AND PATENT AGENTS

**40+**  
ADVANCED DEGREES

**IP LAW, ILLINOIS**  
BAND 1 2017  
**CHAMBERS USA**

**IP LITIGATION**  
TIER 1 2018-2019  
**US NEWS & WORLD REPORT**

While most law firms were still trying to decipher the America Invents Act (AIA), our attorneys were involved with some of the AIA's first contested proceedings, both in the courts and before the U.S. Patent & Trademark Office. We are uniquely suited for these proceedings since they require a strong combination of litigation and technical skills, our specialty. Indeed, we successfully represented the Petitioner in one of the biggest Inter Partes Review (IPR) proceedings to date, involving 18 depositions and significant evidentiary and technical issues.

### CONCENTRATED POWER

Our litigators focus on intellectual property disputes only, leading to a depth of knowledge and experience in this area that is unparalleled by others. Collectively, we've earned degrees in more than 30 science and technology disciplines.

### STRENGTH THROUGH SIMPLICITY

Our guiding principle in litigation is to keep it simple and efficient. The technology and legal principles may be complex, but to succeed, trial themes need to be clear and persuasive and developed early in the case. Discovery needs to be strategic and purposeful. Our efficiency keeps litigation costs down for our clients while, at the same time, achieving success.

### INDUSTRY SECTORS

- Automotive
- Biologics/Biosimilars
- Biotechnology & Pharmaceuticals
- Chemical, Energy & Agriculture
- Clean and Green Technology
- Consumer Goods
- Electrical and Computer Mechanical
- Medical Devices
- Nanotechnology

### MOVE FORWARD IN

- Chicago, IL
- Washington, DC
- Ann Arbor, MI
- Indianapolis, IN
- Research Triangle Park, NC
- Salt Lake City, UT
- Tampa, FL
- Shenzhen, China