



## Contested Proceedings

With the passage of the America Invents Act and the growth of the global marketplace, patent disputes are no longer focused only on the US. They are becoming more complex and being fought on a variety of fronts. Haley Guiliano's contested proceedings practice helps clients protect and defend their position across the US and around the world. We represent both patent owners and alleged infringers in various US forums, including the Patent Trial and Appeals Board of the USPTO, federal district courts, federal appeals courts, and the International Trade Commission (ITC). Our European and UK patent attorneys include litigators who can represent clients in contested patent proceedings before the European Patent Office and UK courts. We further advise clients in contested proceedings around the world to coordinate arguments and ensure that they are taking consistent positions in various proceedings.

Haley Guiliano's contested proceedings practitioners succeed for their clients. Recent achievements include:

- Successfully defended a biotechnology company that was accused of importing animal feed products that infringed a competitor's patents. The ITC held that the products did not infringe any unexpired patents, and our client was able to continue importing its products.
- Successfully defended a biotechnology company, whose transgenic mice were accused of infringing a competitor's patent, in district court. Following a successful claim construction argument, the patent owner admitted that the mice did not fall within its patent claims and settled the infringement suit favorably for our client.
- Successfully defended a pharmaceutical company, whose injection device was accused of infringing a competitor's reissue patent, in district court. After the Federal Circuit affirmed the district court's denial of a preliminary injunction and finding that reissue patent was likely invalid, the competitor agreed to dismiss its suit and provide our client a royalty-free license.
- Successfully protected a pharmaceutical company's patent in an interference. We successfully argued that possession of a clone and identification of the clone as the invention was sufficient to establish prior conception of the claimed invention. The decision was affirmed by the Federal Circuit.
- Successfully protected an electronic company's patents in oppositions before the European Patent Office. During a sustained period, involving over 60 patents being opposed, we vigorously defended our client's European patent portfolio in matters before the Opposition Division, Technical Board of Appeals, and the Enlarged Board of Appeals. Our success was instrumental in procuring a favorable settlement for our client, which also resulted in the Opponent withdrawing from all pending oppositions and appeals.
- Successfully defended a major oil industry supply company in patent litigation in the UK courts against an allegation of patent infringement. Action discontinued, and favorable settlement terms agreed.