



## Intellectual Property Counseling and Prosecution

WilmerHale provides comprehensive solutions to the intellectual property and business challenges companies face at all stages of growth, involving the acquisition, enforcement or protection of intellectual property. We offer full-service IP coverage across industries, from electronics, medical devices and consumer goods, to pharmaceuticals, biotechnology, chemical engineering, semiconductors, media and publishing. Our lawyers understand how intellectual property relates to a client's business and utilize that knowledge to help our clients realize the value of their intellectual property.

### PRACTICE AT A GLANCE

- WilmerHale's IP practice counsels clients on patent drafting and prosecution, post-grant proceedings including *inter partes* review, trademark, copyright and trade secret protection, as well as strategic IP portfolio development.
- WilmerHale is positioned to help with IP challenges around the globe. Our lawyers include IP litigators and international trade lawyers with global experience in navigating complex international IP issues.
- WilmerHale is one of the most experienced full-service law firms in representing petitioners at the PTAB according to the 2017 Patent Trial and Appeal Board Report by legal data analytics firm Lex Machina.
- WilmerHale is uniquely positioned to counsel clients on business and legal IP strategies, analyzing the value of existing IP portfolios and tailoring them to match the client's needs.
- Our strategic analysis experience sets WilmerHale apart from other firms' core IP offerings because we are able to advocate for clients not only before the courts, but also in the administration, on Capitol Hill, through IP associations and in international forums.

2,000+

US and foreign patent applications filed in the past two years

1,200+

trademark applications filed in the past two years

520+

IPRs handled by WilmerHale attorneys

100+

lawyers and technology specialists holding degrees in technological and scientific fields

60+

lawyers and agents registered to practice before the USPTO



### IPR INSTITUTION RATE BY CLAIM

Unified Patents applauded WilmerHale for a higher institution rate by claim than any other firm in the United States.

## EXPERIENCE

WilmerHale achieved a victory on behalf of **Unified Patents, Inc.** against American Vehicular Sciences when the PTAB invalidated all challenged claims of US Patent No. 9,043,093. The '093 patent was asserted against Honda, Nissan, Hyundai and Toyota.

WilmerHale secured a series of victories for **a major financial institution** against Intellectual Ventures (IV), which filed suit alleging infringement of patents related to online banking. The case ended following four successful covered business method proceedings before the USPTO in which the PTAB invalidated 83 of IV's claims across four patents as directed toward unpatentable abstract ideas.

Numerous global companies, including a **consumer electronics company**, a **sportswear and athletic goods company**, and a **car manufacturer**, have relied on WilmerHale's representation in various trademark and trade dress matters.

The firm's copyright experience includes securing a major victory for **Google** in the Second Circuit in a copyright dispute over Google Books, representing an **American toy and board game company** against allegations of copyright infringement, and representing several **major television networks** in a copyright case.

For **NitroMed**, WilmerHale filed and obtained patents covering methods of treatment using the company's commercial drug product, BiDil—which targets the treatment of heart failure in black patients—and worked with the company to implement strategies for product lifecycle management.

For **Wyeth** and its licensee **XCyte**, WilmerHale prosecuted a large and complex family of US and foreign patents concerning an anti-cancer immunotherapy.

The firm represented **Columbia University** in the negotiation of several intellectual property licenses and in patent prosecution relating to software applications, integrated circuits, life sciences, chemistry and physical sciences.

Working closely with corporate colleagues, WilmerHale counseled clients in transactions that included **WebMD's** \$160 million acquisition of **VIPS**, **Idenix Pharmaceuticals's** \$156.8 million IPO and private placement to Novartis, **NitroMed's** \$61.34 million IPO, a \$69.7 million follow-on offering for **EPIX Medical**, and **Predix Pharmaceuticals's** merger with Physiome Sciences.

Clients rely on WilmerHale to analyze their patent portfolios vis-a-vis their field of interest and the effect of targeted competitors' portfolios on their business and to complete freedom-to-operate analyses concerning a variety of products and technologies.

## RECOGNITION

- **The Legal 500 United States** has ranked WilmerHale's Intellectual Property Practice in the "Top Tier" since 2011.
- **The National Law Journal** has named WilmerHale to its IP Hot List each year since the list's inception in 2012.
- **Law360** named WilmerHale to its "IP Group of the Year" list in 2016, marking the fifth time the IP group has received the recognition. From 2016-2018, **Law360** named WilmerHale as its "Technology Group of the Year."
- **Chambers USA** has continuously ranked WilmerHale's IP Practice in band one since 2011.
- **U.S. News & World Report** named us the 2021 "Patent Law Firm of the Year."

**Clients note that WilmerHale is an "excellent firm with a deep bench of highly skilled attorneys... thoughtful, proactive and strategic."**

**"One of the biggest and strongest IP practices in the nation."**

— *Chambers USA*

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