

INTELLECTUAL PROPERTY **HOT LIST**



A SPECIAL REPORT

Even law firms rooted in the 19th and early 20th centuries—and steeped in traditional practices—have become leaders on the latest trends in intellectual property law, fiercely battling a decidedly 21st century development, patent trolls. We received dozens of nominations for our annual list of the hottest IP firms, and after extensive research concluded the 20 listed below deserved the accolade. Many rank among the most venerable in the country. Apparently that's no bar to life on the cutting edge.

FISH & RICHARDSON

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THOMAS KURTZ

JUANITA BROOKS

Fish & Richardson

Fish & Richardson made several client wins official last year through appellate rulings that put the stamp of approval on the firm's trial court victories.

For example, partner **Juanita Brooks** in *Fresenius USA v. Baxter International* convinced the U.S. Court of Appeals

for the Federal Circuit to throw out Baxter's infringement case on a novel theory. The court said Baxter's case had been nullified when Fish persuaded the U.S. Patent Office and Trademark Office to invalidate Baxter's patent on hemodialysis machine technology.

"It's actually a poster child for our skill sets," **Brooks** said of the appeal, the district court case and patent office proceedings. The U.S. Supreme Court denied Baxter's petition for certiorari.

"They're unusual in having absolutely top-quality litigators in the very same office as top-quality patent prosecutors," said Jay Morris, chief intellectual property counsel for Fresenius Medical Care North America.

Fish racked up two Federal Court wins that protected billions of dollars in Allergan Inc.'s glaucoma product sales. The firm solely represented Allergan in Sandoz Inc.'s appeal. **Brooks** argued for Allergan against Barr Laboratories Inc.'s appeal with co-counsel at Los Angeles-based Gibson, Dunn & Crutcher. Fish and Gibson Dunn also protected two Allergan-owned or -licensed eyelash-growth technology patents via a North Carolina federal court injunction that blocked three generic drug makers until 2024. Van Winkle, Buck, Wall, Starnes and Davis of Asheville, N.C., served as local counsel.

Fish helped 75 defendants defeat a nonpracticing entity in *Parallel Networks LLC v. Abercrombie & Fitch* before the Federal Circuit in a case testing Parallel's website technology patent.

"There was a lot of exposure there. It was good to get a win," said partner **Michael McKeon**, who argued for all defendants at the appellate level. —SHERI QUALTERS

FIRM FACTS:

■ **Year founded:** 1878 ■ **Largest office:** Boston ■ **Total attorneys:** 356 ■ **IP partners:** 188 ■ **IP associates:** 138 ■ **Patent agents:** 27