






Christina D. Brown-Marshall, Ph.D.

Principal

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Overview

About Christina

Christina Brown-Marshall, Ph.D. is a principal in the Atlanta office of Fish & Richardson P.C. Her practice focuses on patent and mass tort product liability litigation. Dr. Brown-Marshall has also successfully represented clients facing scrutiny by federal prosecutors and regulatory agencies, including conducting related internal investigations. She has experience in a variety of technological fields, including medical devices, biotechnology, pharmaceuticals, and device manufacturing. Her litigation experience encompasses all phases of litigation including conducting pre-suit diligence; managing discovery; drafting and arguing motions; and culminating in trial.

Dr. Brown-Marshall earned her J.D. from Stanford Law School and her Ph.D. in chemistry from Stanford University. As a law student, she served as co-president of the BioLaw and Health Policy Society. As a graduate student, her research focused on computational modeling of enzymes involved in drug synthesis. Dr. Brown-Marshall was also a founding member of the Stanford chemistry department's women's committee on graduate life. She also graduated *summa cum laude* from the University of Kentucky with a Bachelor of Science degree in chemistry.

Dr. Brown-Marshall was a summer associate of the firm in 2010 and a legal intern for Solazyme Inc. in 2009.

Focus Areas

Services

- Litigation
- False Claims Act and Qui Tam
- ITC Litigation
- Patent Litigation
- Product Liability and Mass Torts

Industries

- Chemicals
- Life Sciences
- Manufacturing
- Medical Devices

Education

J.D., Stanford Law School (2011) Member, *Stanford Technology Law Review*

Ph.D., Chemistry, Stanford University (2008)

B.S. *summa cum laude*, *Phi Beta Kappa*, Chemistry, with minor in French, University of Kentucky (2001)

Experience

In the Matter of Certain Sleep-Disordered Breathing Treatment Mask Systems and Components Thereof — Int'l Trade Comm'n Investigation Nos. 337-TA-1022 and 337-TA-1134 (I.T.C.).
Represented complainant ResMed in investigation against New Zealand manufacturer Fisher & Paykel Healthcare concerning CPAP masks to treat sleep apnea.

In re Fresenius GranuFlo/NaturaLyte Dialysate Products Liability Litigation – (MDL No. 2428) –
Represented Fresenius in product liability litigation relating to its GranuFlo dialysate product in federal

court and state courts.

Dial v. Fresenius Medical Care Holdings, Inc. – C.A. No. 14-11101-DPW (D. Mass.). Defended Fresenius in four-week trial in which plaintiff alleged use of NaturaLyte liquid acid concentrate in hemodialysis treatment caused patient's death; obtained defense verdict of no causation in March 2017.

Ogburn-Sisneros v. Fresenius Medical Care Holdings, Inc. – No. MICV2013-05050 (Mass. Sup. Ct.). Defended Fresenius in three-week trial in which plaintiff alleged use of GranuFlo granulated acid concentrate in hemodialysis treatment caused patient's death; obtained defense verdict of no causation in December 2015.

Medigus Ltd. v. EndoChoice, Inc.(D. Del.) – Defended EndoChoice against Medigus' assertion of a patent related to endoscopes.

EndoChoice, Inc. v. Medigus Ltd. and Medigus USA LLC(D. Del.) – Represented EndoChoice in enforcement of trademark rights related to endoscopy products.

Successfully represented a medical device client in a government investigation related to device manufacturing procedures.

St. Jude Medical v. Volcano Corp.(D. Del.) –Defended Volcano against St. Jude's assertion of a patent related to cardiac guidewire consoles. Case resulted in settlement favorable to client.

St. Jude Medical v. Volcano Corp.(D. Del.) – Defended Volcano in patent litigation and jury trial related to pressure sensing guide wires used to diagnose heart problems. At trial, jury found two St. Jude patents invalid, two not infringed; a fifth patent was declared not infringed by the court on the eve of trial.

Insights

Publications

- "Spectroscopic and Electronic Structure Studies of the Role of Active Site Interactions in the Decarboxylation Reaction of α -keto Acid-Dependent Dioxygenases," *J. Inorg. Biochem.* 100, 2108-2116 (2006)
- "VTVH-MCD and DFT Studies of Thiolate Bonding to $\{\text{FeNO}\}^7/\{\text{FeO}_2\}^8$ Complexes of Isopenicillin N Synthase: Substrate Determination of Oxidase versus Oxygenase Activity in Nonheme Fe Enzymes" *J. Am. Chem. Soc.*, 129, 7427-7438 (2007)
- "CD and MCD of CytC3 and Taurine Dioxygenase: Role of the Facial Triad in α -KG-Dependent

Oxygenases,” *J. Am. Chem. Soc.*, 129, 14224- 14231 (2007)

Speaking Engagements

- “Negotiation Ethics,” *Fish Webinar* (March 31, 2021)
- “Realities of IP in the Life Sciences,” 2019 Georgia Bio Innovation Summit (October 2019)
- “Negotiation Ethics,” *Association of Corporate Counsel, Georgia Chapter* (October 2018)
- “Non-IP Life Sciences Litigation,” *Life Sciences Intellectual Property Summit* (November 2016)

Recognition

- “Women Worth Watching” Award, *Profiles in Diversity* (2019)