



## Jonathan E. Singer

Principal  
San Diego  
858-678-5634  
singer@fr.com

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### Overview

Jon Singer, a renowned life sciences industry leader and decorated trial attorney, has over three decades of experience litigating for life sciences clients, including heading some of Fish & Richardson's most complex pharmaceutical matters.

Jon founded Fish's acclaimed Life Sciences Industry Team in 2001, which has since grown to become one of the most respected practices in the country. Known as a meticulous tactician and a compelling oral advocate, Jon introduces impeccable planning and strategy into all his cases.

Jon has litigated and tried some of the most significant pharmaceutical disputes of this century and has earned a reputation for presenting complex material in a down-to-earth manner to judges, juries, and arbitration panels. In several of his most-noted matters, Jon successfully reversed negative outcomes, either on appeal or otherwise. For example, in *Prometheus Laboratories v. Mayo Collaborative Services*, Jon and the Fish team took a pharmaceutical patent dispute all the way to the U.S. Supreme Court, twice achieving reversal of a Federal Circuit Court of Appeals decision in what is widely recognized as one of the most important patent decisions of this century. In *Gilead Sciences, Inc. v. Merck & Co.*, Jon was trial counsel for Gilead in a case that initially resulted in a \$200 million jury verdict against the client. He then led the bench trial that resulted in the District Court setting aside the jury verdict due to unclear hands. And in *Idenix Pharms, LLC v. Gilead Sciences, Inc.*, Jon argued the post-trial motions that led to a complete vacatur of a \$2.5 billion jury verdict against Gilead, a vacatur that was ultimately affirmed on appeal.

In addition to his work litigating for life sciences industry clients, Jon devotes significant time to advising and mentoring the next generation of litigators in Fish's Life Sciences Industry Team. He frequently assists up-and-coming principals with trial preparation, strategic planning, witness preparation, and other practices to ensure they have the help and support they need to succeed in the complex and challenging practice of life sciences patent litigation. Jon also puts his experience to work as an expert witness in drug-related trials, applying his extensive knowledge of pharmaceuticals to patent and antitrust cases across the country.

Jon's record of success has earned him extensive recognition throughout his career. He is a three-time *Law360* "Life Sciences MVP," a *Daily Journal* "California Lawyer of the Year," and a three-time *National Law Journal* "Litigator of the Week," among other awards.

In his free time, Jon enjoys writing fiction and doing crosswords, both traditional and cryptic.

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### Experience

*Alvotech USA Inc. et al v. Abbvie Inc et al (E.D. Va., N.D. Ind.):* District Court counsel for Alvotech in its multi-jurisdiction biosimilar dispute with AbbVie over arthritis drug adalimumab, sold as Humira®, the world's top-selling drug by revenue, with more than \$75

billion in sales in the past four years. In April 2021, AbbVie sued Alvotech in the Northern District of Illinois, asserting infringement of four of its patents. In May 2021, Alvotech filed a patent case in the Eastern District of Virginia to invalidate AbbVie's patents and assert claims of patent misuse by AbbVie for its assertion of more than 60 patents in the "minefield of IP" (as described by AbbVie's CEO) that AbbVie uses to deter competition in the market. In March 2022, these matters were resolved through a settlement under which AbbVie granted Alvotech a license to its Humira® patents and the *nonexclusive right to market a Humira® biosimilar*.

*Exela Pharma Sciences, LLC v. Eton Pharmaceuticals, Inc.*: Fish filed a high-profile Hatch-Waxman lawsuit for client Exela Pharma Sciences against Eton Pharmaceuticals over its intent to produce a generic version of Exela's patented Elcys® drug. Elcys® is the only FDA-approved cysteine hydrochloride injection on the market for use as an additive to amino acid solutions to meet the nutritional requirements of newborn infants requiring total parenteral nutrition (TPN). The Fish team successfully stopped the institution of three PGRs at the Patent Trial and Appeals Board. Then, following a March 2022 bench trial, the court found all of Exela's asserted patent claims infringed and valid, and ordered FDA to withhold final approval of Eton's ANDA until expiration of Exela's patents.

*GlaxoSmithKlein, LLC v. Teva Pharmaceuticals USA, Inc.*: Won two high-profile, precedential decisions at the Federal Circuit for client GlaxoSmithKline. In both wins, Fish convinced the court to reinstate the \$235 million jury verdict Fish obtained for GSK against Teva Pharmaceuticals in June 2017 in the District of Delaware. for induced infringement of GSK's heart disease drug Coreg®.

*Athena Diagnostics, et al v. Mayo Collaborative Services, et al* (D. Mass.): District Court and appellate counsel for Mayo defendants in action over Mayo's test for Myasthenia Gravis. Judgment on the pleadings under Section 101 granted for Mayo. Affirmed on appeal.

*Coherus Biosciences, Inc. v. AbbVie Biotechnology Ltd.* (PTAB): PTAB counsel for petitioner Coherus. Argued and obtained first-ever invalidity ruling on patents covering AbbVie's blockbuster drug Humira®. Case settled on appeal.

*Gilead Sciences, Inc. v. Merck & Co, Inc., et al.*, (N.D. Cal.): Trial counsel for Gilead against Merck in action over Gilead's revolutionary hepatitis C drugs Harvoni® and Sovaldi®. After jury found liability against Gilead and awarded \$200 million to Merck, led bench trial and hearings that resulted in District Court setting aside the judgment for unclear hands. Affirmed on appeal. Read about this historic win [here](#) and [here](#).

*Idenix Corp. v. Gilead Sciences, Inc.* (D. Del.): Trial counsel for Gilead in further action over Gilead's hepatitis C drugs Harvoni® and Sovaldi® by Merck subsidiary Idenix. After jury found liability against Gilead and awarded damages in excess of \$2 billion, argued judgment as a matter of law proceedings that resulted in District Court setting aside the judgment for lack of enablement of the patent-in-suit. Affirmed on appeal.

*Gilead Sciences, Inc. v. AbbVie Biotechnology Ltd.* (D. Del.): District Court counsel for Gilead in action over Gilead's hepatitis C drugs Harvoni® and Sovaldi®. After favorable *Markman* ruling, case settled with business arrangement.

*Aptalis Pharmatech, Inc., et al v. Apotex, Inc. et al.* (D. Del.): Trial counsel for plaintiffs in action over skeletal muscle relaxant drug AMRIX. Injunction secured against generic entry. After remand from Federal Circuit on infringement issues, case settled with business arrangement.

*Cephalon, Inc., et al v. Mylan Labs, et al.* (D. Del.): Trial counsel for plaintiffs in Hatch-Waxman action over ANDA for breakthrough pain drug FENTORA®. Injunction entered against generic entry in July 2013. Case resolved on appeal with business arrangement.

*Roche Palo Alto, et al v. Lupin, Ltd., et al.* (D.N.J.): Trial counsel for plaintiffs in Hatch-Waxman action over abbreviated new drug application for angina drug Ranexa®; after three-week bench trial in May 2013, case settled with Lupin agreeing to forestall entry until three months before patent expiry.

*Prometheus Laboratories v. Mayo Collaborative Services, et al.* (S.D. Cal.): District Court and appellate counsel for defendants in patent infringement action over metabolite assays for thiopurine drugs. Argued and secured summary judgment of invalidity under 35 U.S.C. § 101. After reversal at Federal Circuit Court of Appeals, Supreme Court of the United States reversed appellate court at \_\_ U.S. \_\_, 132 S.Ct. 1289 (2012). Widely recognized as most important patent case of 2012.

*Mayo Clinic, et al v. Peter Elkin* (D. Minn.): Trial counsel for Mayo Clinic in trade secret case regarding natural language processing software. Jury verdict in favor of Mayo on willful trade secret misappropriation, intentional interference with contractual relations and other claims. Verdict affirmed at 2013 WL 4516191 (8th Cir. 2013).

*Eurand, Inc. v. Impax Labs (In re Cyclobenzaprine)* (D. Del.): District Court and appellate counsel for plaintiffs in action for enforcement of settlement of Hatch-Waxman litigation. Secured judgment in favor of plaintiffs restraining defendant from launching product in February 2012. Affirmed at 504 Fed. Appx. 900 (Fed. Circ. 2013).

*In re Cyclobenzaprine Hydrochloride Extended Release Litigation* (D. Del.): Trial and appellate counsel for plaintiffs in Hatch-Waxman actions over ANDAs for skeletal muscle relaxant Amrix®. After verdict of obviousness, secured temporary restraining order against “launch at risk” by defendant Mylan. Secured reversal at Federal Circuit Court of Appeals at 676 F.3d 1063 (Fed. Cir. 2012).

*Cephalon, Inc., et al v. Watson Pharmaceuticals, Inc., et al.* (D. Del.): Trial counsel for plaintiffs in Hatch-Waxman action over ANDAs for breakthrough pain drug Fentora®. Injunction entered against generic entry at 769 F.Supp.2d 761 (D. Del.) in April 2011. Affirmed on appeal.

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## Recognitions & awards

Best Lawyers in America

*Best Lawyers* 2016-2025

IAM Patent 1000

*IAM* 2013, 2016-2024

Life Sciences Star

*LMG Life Sciences* 2012-2013, 2017-2024

IP Star

*Managing IP* 2013-2024

Top Intellectual Property Lawyers in California

*Daily Journal* 2017-2018, 2020-2021, 2023

Finalist for General Patent Litigator of the Year - California

*LMG Life Sciences* 2021

Super Lawyer

*Super Lawyers* 2006, 2010-2014, 2018-2021

San Diego Lawyer of the Year for Patent Litigation

*Best Lawyers* 2020

Top 100 Lawyers in California

*Daily Journal* 2019

Life Sciences MVP

*Law360* 2013, 2015, 2018

Litigator of the Week

*American Lawyer (AmLaw)* 2011-2012, 2016, 2018

Winning Litigator

*National Law Journal (NLJ)* 2018

General Patent Litigator of the Year - California

*LMG Life Sciences* 2018

California Lawyer of the Year

*Daily Journal* 2018

Game Changer

*Recorder, The* 2017

Significant Victories

*National Law Journal (NLJ)* 2016

Trailblazer

*National Law Journal (NLJ)* 2015

Leading Lawyer in America

*Law Dragon* 2013

Appellate MVP

*Law360* 2012

Attorney of the Year

*Minnesota Lawyer* 2007, 2009, 2012

Best in Bar

*Minneapolis St. Paul Business Journal* 2012

IAM Life Sciences 250

*IAM* 2010

Client Service All-Star

*BTI Consulting Group Inc.* 2006

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## Teaching experience

Course faculty member, "Biotechnology: Patent Prosecution, Licensing, Litigation, and Hatch-Waxman," Patent Resources Group, Inc.

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## Insights

Blog | April 2, 2020

Section 101: Cert. Denied ... Now What?

Webinar | February 20, 2020

Section 101: Cert. Denied...Now What?

Webinar | March 18, 2015

Recent Developments Impacting Hatch-Waxman Litigation

Article | January 8, 2015

USPTO Guidance on Natural Product Development

Article | April 22, 2014

Understanding Legal Trends in the Life Sciences Industry

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## News

News | [October 4, 2024](#)

Fish & Richardson Ranked Highly by *Managing IP*, Attorneys Named IP Stars

News | [September 23, 2024](#)

Fish & Richardson Receives Top Rankings From *LMG Life Sciences*, 14 Attorneys Named 2024 "Life Sciences Stars"

News | [August 15, 2024](#)

101 Fish Attorneys Included in the 2025 Edition of *The Best Lawyers in America*

News | [June 11, 2024](#)

Fish & Richardson Receives Top Rankings in 2024 Edition of *IAM Patent 1000: The World's Leading Patent Professionals*

News | [October 5, 2023](#)

Fish & Richardson Ranked Highly by *Managing IP*, Attorneys Named IP Stars

News | [September 25, 2023](#)

Fish & Richardson Receives Top Rankings from *LMG Life Sciences*, 14 Principals Named 2023 "Life Sciences Stars"

News | [August 17, 2023](#)

101 Fish Attorneys Included in the 2024 Edition of *The Best Lawyers in America*

News | [June 27, 2023](#)

Fish & Richardson Receives Top Rankings in 2023 Edition of *IAM Patent 1000: The World's Leading Patent Professionals*

News | [May 17, 2023](#)

Three Fish Principals Named to *Daily Journal's* 2023 "Top Intellectual Property Lawyers" List

News | [September 29, 2022](#)

*LMG Life Sciences* Awards Top Rankings to Fish & Richardson; 16 Principals Named 2022 "Life Sciences Stars"

News | [September 8, 2022](#)

Fish & Richardson Receives Top Rankings in 2022 Edition of *IAM Patent 1000: The World's Leading Patent Professionals*

News | [August 22, 2022](#)

96 Fish Attorneys Included in the 2023 Edition of *The Best Lawyers in America*

News | [June 2, 2022](#)

Fish & Richardson Named a Top ITC and Life Sciences Firm by *Managing IP*, Attorneys Named IP Stars

News | [October 5, 2021](#)

*LMG Life Sciences* Awards Top Rankings to Fish & Richardson; 13 Principals Named 2021 "Life Sciences Stars"

News | [September 23, 2021](#)

Fish Named "Intellectual Property Boutique Firm of the Year" by *LMG Life Sciences*

News | [August 19, 2021](#)

Fish Attorneys Recognized in 2022 Edition of *The Best Lawyers in America*

News | [April 21, 2021](#)

*Daily Journal* Recognizes Fish & Richardson Principals Juanita Brooks and Jonathan Singer as 2021 "Top Intellectual Property Lawyers"

News | [January 7, 2021](#)

Fish & Richardson Receives 2020 "Attorney of the Year" Group Award from *Minnesota Lawyer*

News | [September 29, 2020](#)

Fish & Richardson Receives Top Firm Rankings and 14 Principals Named 2020 "Life Sciences Stars" by *LMG Life Sciences*

News | [August 12, 2020](#)

Fish & Richardson Receives Top "Gold" Ranking from *IAM Patent 1000* for National Litigation Practice; National Rankings in the Plaintiff Firm and Prosecution...

News | [August 4, 2020](#)

32 Fish & Richardson Attorneys Named 2020 "IP Stars" by *Managing Intellectual Property* Magazine

News | [February 11, 2020](#)

Fish Named *Law360* Life Sciences Practice Group of the Year

News | [October 2, 2019](#)

Fish & Richardson Receives Top Firm Rankings from *LMG Life Sciences* in Four Practice Areas

News | [August 15, 2019](#)

Fish & Richardson Attorneys Receive Five "Lawyer of the Year" Awards from *The Best Lawyers in America*® 2020

Media Coverage | July 10, 2019

Trends in Life Sciences Patent Litigation

*Corporate Counsel Business Journal*

News | June 20, 2019

Fish & Richardson Receives Top "Gold" Ranking from *IAM Patent 1000* for National Patent Litigation Practice

News | May 22, 2019

Fish & Richardson Announces 32 Attorneys Named "IP Stars" by *Managing Intellectual Property* Magazine

News | January 10, 2019

Fish & Richardson Obtains Denial of Cert at U.S. Supreme Court for Gilead Sciences in Long-Running Patent Battle with Merck Over Hepatitis C Drugs

News | November 27, 2018

Fish & Richardson Principal Jonathan Singer Named 2018 Life Sciences MVP of the Year by *Law360*

News | September 27, 2018

Fish & Richardson Announces 13 Principals Named 2018 "Life Sciences Stars" by LMG Life Sciences

News | September 14, 2018

Fish & Richardson Principals Chad Shear and Jonathan Singer Named "2018 Winning Litigators" by *The National Law Journal*

News | September 13, 2018

Fish & Richardson Named 2018 General Patent Litigation Firm of the Year and Intellectual Property Firm of the Year by *LMG Life Sciences*

News | August 15, 2018

47 Fish Attorneys Named to The Best Lawyers in America 2019 List

News | June 14, 2018

Fish Receives Top "Gold" Ranking from *IAM Patent 1000* for National Patent Litigation Practice

News | May 21, 2018

Fish & Richardson Announces 39 Attorneys Named "IP Stars" by *Managing Intellectual Property* Magazine

News | May 3, 2018

Fish & Richardson Principals Juanita Brooks and Jon Singer Named Among California's Top IP Lawyers

News | April 25, 2018

Fish & Richardson Wins Federal Circuit Affirmance of Reversal of \$200 Million Damages Against Gilead After Merck's "Unclean Hands"

News | February 23, 2018

Fish & Richardson Wipes Out \$2.5 Billion Patent Verdict Against Gilead Sciences on JMOL

News | October 13, 2017

11 Fish & Richardson Principals Named 2017 "Life Sciences Stars" by *LMG Life Sciences*

News | October 3, 2017

High-Stakes Gilead Case Lands Fish & Richardson Principals Juanita Brooks and Jon Singer on *The Recorder's* List of Litigation Game Changers

News | September 12, 2017

*Daily Journal* Names Fish & Richardson Principals Juanita Brooks and Jon Singer Among California's Top IP Lawyers

News | July 24, 2017

Fish & Richardson Receives Top "Gold" Ranking from *IAM Patent 1000* for National Patent Litigation Practice

News | June 23, 2017

Fish & Richardson Announces 36 Attorneys Named "IP Stars" by *Managing Intellectual Property* Magazine

News | June 13, 2017

PTAB Rules in Favor of Fish Client Coherus BioSciences in Two More IPR Decisions

News | May 17, 2017

Fish Client Coherus BioSciences Prevails in '135 IPR Decision

News | May 3, 2017

Two Fish & Richardson Attorneys Named to "2017 Best Attorneys" List

News | March 29, 2017

Fish & Richardson Wins "Case of the Year" Award and "U.S. Specialty IP Firm of the Year" Award by *Managing Intellectual Property*

Media Coverage | December 5, 2016

High Stakes, Significant Victories

*The National Law Journal*

News | November 21, 2016

Fish & Richardson Announces Six Principals Named 2016 "Life Science Stars" by *LMG Life Sciences*

News | July 1, 2016

Fish & Richardson Named One of 24 Most Loved Law Firms by General Counsel; One of 10 Firms GCs Love for Pharma Work

News | June 29, 2016

Fish Receives Top Tier 1 National Rankings in Patent Prosecution and Patent Litigation from *The Legal 500*

News | June 15, 2016

Fish & Richardson Named to *IAMP* Patent 1000 for National Patent Litigation and Prosecution Practices

News | June 8, 2016

Fish Receives Top "Band 1" National Rankings for Intellectual Property and ITC Practices in *Chambers USA* 2016

News | March 23, 2016

Fish & Richardson Awarded "Milestone Case of the Year" at *Managing Intellectual Property's* North America Awards 2016

News | November 19, 2015

Fish & Richardson Named to NLJ 2015 Appellate Hot List; Marks Fifth Year on Prestigious List

News | November 18, 2015

Principal Jon Singer named 2015 Life Sciences MVP by *Law360*

News | November 10, 2015

Fish & Richardson Announces Five Attorneys Named 2015 "Life Sciences Stars" by LMG Life Sciences

News | December 17, 2013

*Law360* Names Fish Principal Jonathan Singer 2013 Life Sciences MVP

News | January 29, 2013

Fish Principal Jonathan E. Singer Named *Minnesota Lawyer* 2012 "Attorney of Year" and *Law360* "2012 MVP"

Media Coverage | August 24, 2011

Eastern District of Texas deals blow to generic pharmaceutical companies

*New York Law Journal*

Media Coverage | April 27, 2011

Mayo Wins Trade Secrets Verdict Against Ex-Employee

*Law360*

Media Coverage | March 16, 2011

Federal Circuit Rules That Diagnostic Methods Are Patentable

*Inside Counsel*

News | December 15, 2009

Attorney Jonathan Singer named Attorney of the Year by Minnesota Lawyer

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## Events

June 13, 2023

Kisaco Global Biologics Cell and Gene Legal Summit 2023

January 24, 2023

Kisaco European Summit on Pharma and Biotech Patent Litigation

October 11, 2022

Life Sciences Strategy Summit on IP & Exclusivity

February 23, 2021

C5 13th Annual Pharma & Biotech Patent Litigation in Europe



February 24, 2020

C5's Annual Pharma and Biotech Patent Litigation Conference

October 14, 2019

C5 Life Sciences IP Summit 2019

February 26, 2019

C5 11th Annual Pharma & Biotech Litigation

October 17, 2018

C5 Life Sciences IP Summit

February 27, 2018

C5 Pharma & Biotech Patent Litigation

October 11, 2017

C5 Life Sciences IP Summit 2017

April 25, 2017

Fish to Sponsor & Speak at C5 Pharma & Biotech Patent Litigation Conference

November 3, 2016

Life Sciences Summit 2016

October 22, 2015

C5 Life Sciences IP Summit

March 12, 2014

New Jersey Intellectual Property Law Association Patent Litigation Seminar

March 13, 2013

NJIPLA Patent Litigation Seminar

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## Additional insights

### Speaking engagements

- "Virtual Opposition Proceedings Before the EPO, the Appeal Court of the Hague and in the PTAB," *C5's Pharma & Biotech Patent Litigation in Europe Conference* (February 23, 2021)
- "Pharma and Biotech Cases, Costs and Procedures in Arbitration and Mediation," *C5's 10th Pharma & Biotech Patent Litigation Conference*, Amsterdam, Netherlands (February 2018)
- "The Patent Trial Appeal Board and Alternatives to Litigation," *C5's Life Sciences IP Summit*, Munich, Germany (October 2017)
- "Litigating Biosimilars," *C5's Life Sciences IP Summit*, Munich, Germany (October 2017)

### Media mentions

- "[Counsel Reveal How Pharma Can Benefit from Patent Arbitration](#)," *Managing IP* (March 8, 2021)
- "[Trends in Life Sciences Patent Litigation](#)," *Corporate Counsel Business Journal* (July 2019)

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## Services

Litigation

Patent Litigation

## Industries

Life Sciences

## Admissions

California (1997)

Supreme Court of the United States

U.S. Court of Appeals for the Federal Circuit



Education

J.D. with honors, University of Chicago Law School (1992)  
A.B., Chemistry, Dartmouth College (1986) Daniel Webster Scholar