

# Fisher Broyles

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**Practice Areas:** Intellectual Property; Litigation — Civil Pretrial and Trial Services; Litigation & Risk Management

**Bar Admissions:** New York; United States Court of Appeals for the Federal Circuit; United States District Court for the Southern District of New York; United States District Court for the Eastern District of New York; United States Patent and Trademark Office

**Education:** Columbia University, School of Law, JD, 2002; University of Toledo, M.S. in Chemistry 1996; Nankai University, B.S. in Chemistry, 1992

**Experience:** Paul Hastings LLP

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Gary is a partner in our New York office. He focuses his practice on complex, high-stakes patent litigation with an emphasis on the biotechnology, pharmaceutical, chemical, and electronics sectors. He has successfully represented pharmaceutical and biotechnology companies, industrial chemicals and consumer electronics manufacturers in the United States, Europe, and Asia both pre-trial and at trial. Gary also has extensive experience counseling clients with respect to their intellectual property portfolios and evaluating strategic licensing opportunities. Gary was previously Of Counsel in the global law firm Paul Hastings' Life Sciences Group in New York, having started his legal career at the patent law firm Fish & Neave, which is now part of Ropes & Gray. Prior to his legal career, Gary worked as a research scientist at Glaxo, Inc. and co-invented a novel chemical process for new drug discovery.

## Representative Transactions

- Celgene Corp. v. Aurobindo, et al., Civil Action No. 17-3387 (D.N.J.) Represents Aurobindo in ANDA litigation involving cancer therapy pomalidomide
- Onyx Therapeutics v. Cipla Ltd., Civil Action No. 16-988 (D.Del.) Represents Cipla in ANDA litigation involving cancer therapy carfilzomib

- *Helsinn v. Reddy, et al.*, Civil Action No. 11-3962 (D.N.J.) Represented Helsinn in its enforcement of the patent portfolio protecting its anti-emetic drug product Aloxi® against numerous generic manufacturers
- *Merck & Co., Inc. v Sandoz Inc.*, Civil Action No. 12-3289 (D.N.J.) Represented Merck in its infringement action against Sandoz for Merck's anti-emetic drug product EMEND® (fosaprepitant dimeglumine) for Injection
- Advised an Asian conglomerate on a vaccine manufacturing patent portfolio for its intended acquisition of novel vaccine manufacturing technology from a U.S. company (2010)
- *Anvik Corp. v. AU Optronics*, Civil Action No. 07-0822 (S.D.N.Y.) Represented AU Optronics in defending a patent infringement lawsuit directed to its flat panel display products
- *Takeda Pharma. Co. Ltd. v. Watson Labs., Inc.*, Civil Action No. 09-841 (D. Del.) Represented Takeda in the patent infringement litigation for Takeda's sleeping aid Rozerem®.
- *Merck & Co., Inc. v Sandoz Inc.*, Civil Action No. 09-00890 (D.N.J.) Represented Merck and successfully forced the defendant to withdraw its challenge to Merck's patents protecting its anti-emetic drug Emend®
- *Eisai v. Teva*, Civil Action No. 05-5727, 2008 WL 1722098 (D.N.J. March 28, 2008) Key member of the litigation team that successfully obtained a preliminary injunction preventing the commercial launch of a generic copy of Eisai's leading Alzheimer's drug Aricept®
- *Eisai v. Dr. Reddy's*, 2007 WL 1437834 (S.D.N.Y.), *aff'd*, 533 F.3d 1353 (Fed. Cir. 2008) Key member of the trial team that obtained a complete victory at both the district court and Court of Appeals for a patent protecting Eisai's billion-dollar-a-year ulcer drug product Aciphex®