

# Intellectual Property Litigation

Cozen O'Connor offers clients broad intellectual property litigation capabilities. Our team of dedicated IP litigation attorneys represents diverse clients in patent, trademark, copyright, trade secrets, and Hatch-Waxman/biologics disputes. We have a long track record of successful jury and bench trials, U.S. Federal Circuit Court appeals, preliminary injunction hearings, Patent Trial and Appeal Board proceedings, arbitrations, and high-stakes settlements.

## Trademark Litigation

Trademarks are among a company's most valuable assets and must be defended as such. Cozen O'Connor is widely recognized as a leader in trademark litigation and is routinely relied upon by well-managed businesses to protect their trademarks from infringement and dilution.

Time is of the essence when trademarks are threatened, so counsel must be alert to marketplace activity at all times and ready to respond quickly and decisively. Cozen O'Connor has sophisticated monitoring systems and is positioned to act at a moment's notice in jurisdictions across the country and around the world.

The firm's trademark litigators represent clients in federal courts, arbitrations, and before government and administrative venues around the world, including *ex parte* and *inter partes* proceedings before the U.S. International Trade Commission (ITC), U.S. Patent and Trademark Office (USPTO), and Trademark Trial and Appeal Board (TTAB). They also handle complex commercial litigation cases with a trademark component.

## Patent Litigation

The issues at play in patent disputes are often highly technical. Cozen O'Connor's patent litigators, more than half of whom are registered patent attorneys, have the requisite backgrounds in science, technology, industry, and academia to lead sophisticated analyses—and the litigation experience to make issues clear and comprehensible to a judge or jury.

Firm attorneys are well versed in the substantive and procedural aspects of high-stakes patent litigation. They have successfully litigated patent cases to verdict in federal districts courts across the country as well as before the Federal Circuit Court, ITC, USPTO, and Patent Trial and Appeal Board (PTAB).

The PTAB in particular has become a go-to venue for validity claims. Cozen O'Connor's patent team frequently initiates and defends critical *inter partes* review (IPR), post-grant review, and covered business method review proceedings before the PTAB.

Cozen O'Connor is fully equipped to pursue mediation and favorable settlement when that course best serves a client's interests, but is equally prepared to take the largest and most complex patent disputes to trial—and win.

## Hatch-Waxman & Biologics

Cozen O'Connor has a nationally recognized Hatch-Waxman and Biologics/Biosimilars practice that counsels and represents both branded and generic drug companies seeking to enter the U.S. small molecule and biologics/biosimilars markets.

The team includes licensed patent attorneys with advanced degrees in organic chemistry, molecular cell biology, immunology, and biophysics, and intellectual property litigators with decades of first-chair trial experience. With this combination of academic and legal experience, Cozen O'Connor



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## Related Practice Areas

- Copyright & Content
- Hatch-Waxman & Biologics
- Intellectual Property
- Patents
- Trade Secrets, Restrictive Covenants, and Computer Abuse
- Trademark & Brand

attorneys are able to deeply analyze pharmaceutical patents, design winning litigation strategies, and advocate effectively before federal district courts, the Federal Circuit Court of Appeals, and the USPTO.

### **Trade Secrets**

Rising employee mobility, intense intra-industry competition, and new rulemaking around noncompete agreements, among other trends, have combined to raise the stakes on trade secret protection. And not just protection – fast, efficient, and effective protection.

Cozen O'Connor attorneys are well prepared to obtain or defeat emergency injunctions relating to theft of trade secrets and other proprietary IP, pursue ex parte applications to seize property to prevent the sharing or spread of trade secrets, and first chair related bench and jury trials in state and federal courts.

A multidisciplinary practice by definition, IP litigators in Cozen O'Connor's trade secrets practice work closely with their colleagues in labor and employment and commercial litigation in order to provide comprehensive protection for each client's proprietary business IP.

### **Copyright Litigation**

Copyright is among the oldest and also among the most quickly evolving areas of IP law. In the new age of AI, the old rules around content creation, ownership, and protection are being challenged at every turn. Cozen O'Connor is prepared to help clients meet those challenges.

The team has deep experience navigating the specific legal and business disputes that arise under copyright law and represent creators, licensors, and purchasers of content. Many of our copyright litigators have direct personal experience with content creation, from software design to musical composition, so bring a nuanced perspective to questions of ownership and access.

They represent clients before federal trial and appellate courts and the ITC in their most significant and high-stakes copyright disputes and have a strong track record of resolving claims in a way that satisfies both legal and financial imperatives.

### **Experience**

Secured a preliminary injunction for an energy industry client against a competitor in a case in which the client brought federal and state claims for counterfeiting, trademark and copyright infringement, cancellation of trademark registration, unfair competition, deceptive trade practices, breach of contract, and cybersquatting after the competitor began trying to pass its own products off as the client's. The court enjoined the competitor from manufacturing, importing, distributing and/or selling any products using the client's trademarks, or any confusingly similar marks, and froze the competitor's assets related to its counterfeiting and other illegal activities.