ECKERT SEAMANS

Life Sciences

OVERVIEW

Our Life Sciences Group is a multidisciplinary team of lawyers with technical and legal experience in protecting the interest of businesses within the life sciences and related industries. We serve clients at the epicenter of innovation in multinational pharmaceutical companies, diagnostic and medical device companies, academic medical research intuitions, and health care service providers. As part of our multidisciplinary approach, our life sciences clients have access to leading attorneys across our numerous practice areas. Therefore, our lawyers address the needs of our clients from a broad perspective – advising on every aspect of the life sciences industry, including corporate finance, intellectual property and licensing, product liability and mass tort litigation, labor and employment, and regulatory matters. We also have significant experience in private and public securities offerings and other financing transactions as well as merger, acquisition, and commercial transactions for life sciences companies – from early stage to Fortune 100 entities.

FOCUS AREAS

Eckert Seamans' Product Liability Group was selected for inclusion in the Product Liability *Law360* 100, which showcases the 100 U.S.-based firms with the most product liability partners globally. The firm has substantial experience defending pharmaceutical and medical device product liability lawsuits. We work with our clients not only to defend claims, but also to develop strategies to reduce the risk of future lawsuits and to minimize the negative publicity often associated with litigation. We have defended clients in some of the largest pharmaceutical mass tort cases in history. The firm has served as national, regional, and local coordinating defense counsel in multidistrict litigation in federal and state court. In these matters, Eckert Seamans attorneys coordinate and prepare pleadings and discovery responses, conduct client interviews, brief and argue pretrial motions on the sufficiency of expert witness testimony, defend company employees at depositions, and prepare for trial in a consistent and cost-effective manner.

Our E-Discovery & Information Management Group has managed some of the largest document productions in recent U.S. civil litigation. Our attorneys are responsible for numerous large scale e-discovery and document production projects for federal multi-district litigations and state court consolidated/mass tort actions, involving the production of tens of millions of documents and other data sources.

Our Intellectual Property Group advises clients on a matters related to domestic and foreign patents, the interface between patent law and FDA regulations, trademarks, copyrights, trade dress, trade secrets, and unfair competition law. Many of our attorneys have years of in-house corporate experience. We help clients with the negotiation, preparation, and enforcement of a wide variety of related agreements including license, assignment, consulting, employment, and nondisclosure and joint venture agreements. Our IP attorneys serve clients across many diverse fields, including pharmaceutical, biological, biotechnological corporations. In addition, the firm has a dedicated Intellectual Property Litigation Group to handle significant intellectual property litigation matters.

REPRESENTATIVE MATTERS

CORPORATE FINANCE

- Assisted companies to secure capital to develop and commercialize bio-technology and medical devices.
- Represented pharmaceutical/drug delivery companies in securities, corporate governance, and general corporate matters.
- Drafted and negotiated distribution, supply, packaging, clinical trial services, and a variety of other contracts for a major U.S. pharmaceutical supply chain services company, including business associate agreements and service agreements relating to central pay services for retail pharmacies.

- Advised a multinational corporation specializing in pharmaceuticals, health care, and nutrition on implementation of a plan, including satisfaction of blue sky exemptions in almost all 50 states, for U.S. employees to purchase American Depositary Shares representing shares of the corporation.
- Conducted extensive due diligence reviews of acquisition candidates for a major multinational biopharmaceutical company focused on research and development, manufacture and marketing. Projects for this client have included review and analysis of licenses, clinical research and development agreements and other research and development agreements, material transfer agreements, supply agreements, manufacturing agreements, consulting agreements and related service agreements.
- Prepared agreements relating to licensing, technology transfer, and clinical trials for reference testing laboratory.

INTELLECTUAL PROPERTY

- Prepared and prosecuted patent applications for:
    - Devices for treating sleep apnea, a magnetic resonance imaging apparatus, dilation catheters, cardiovascular stents, and other medical equipment;
    - In vivo drug delivery compositions and methods for controlled release of active ingredients;
    - Chemical compositions useful for the preparation of pharmaceutical drugs; and
    - Radiotherapy and other cancer therapies and biomarkers.
- Handled trademark and copyright matters for numerous pharmaceutical companies.
- Litigated numerous pharmaceutical patent infringement actions, including actions related to a number of well known drugs.
- Advised on Orange Book listings and citizen petitions to the FDA.

BANKRUPTCY & RESTRUCTURING

- Represented a medical device company in a preference claim and in another matter involving foreclosure on medical equipment.
- In the course of Chapter 7 bankruptcy proceedings for a medical technology company, maintained IP portfolio, including the prosecution of patent applications relating to bone substitute material and methods for implanting the material into patients.

LABOR & EMPLOYMENT

- Provided counsel and litigated employment claims for a company that distributes medical and acute care supplies to hospitals and urgent care facilities.
- Represented executives and founders of bio-tech and medical device companies in connection with their ownership interests and employment agreements.
- Represented a pharmaceutical company in an Americans with Disabilities Act claim.