Life Sciences

Whether you are a biotechnology, pharmaceutical, or medical device company, the future of your business will be shaped by your ability to navigate legal, regulatory, and economic hurdles of this dynamic industry. At Jenner & Block, we know the risks and opportunities our clients face in the lifecycle of their products. Our in-depth knowledge of the life sciences industry coupled with decades of experience handling ”bet-the-company” matters for our clients drive creative solutions in this fast-moving field.

Many team members have life sciences backgrounds—as former chemists, molecular biologists, chemical and biomedical engineers—allowing us to quickly comprehend complex topics and explain issues in terms our clients, judges, and juries understand. While many seek our deep intellectual property and patent experience, they also value the perspectives our litigation, capital markets, and M&A lawyers bring to reframing issues for better client outcomes.

Protecting Client Interests in Litigation

For clients across the life sciences industry, our experienced patent litigators enforce intellectual property rights, defend against its misuse, and develop IP strategies. When biotechnology, pharmaceutical, and medical device companies are developing new products, we help them stay ahead of litigation risks by navigating around potential asserted patents and, where necessary, litigating aggressively to enforce or protect their interests. Our securities team defends life sciences companies in litigation arising from unexpected changes in product development, while our commercial litigators work to find efficient ways to resolve disputes involving distributors and manufacturers, whether through litigation or in settlement discussions.

Advancing Company Goals Through Strategic Transactions

When advising on an acquisition, sale, strategic partnership, or licensing opportunity, we align our advice to our client’s larger business goals. With our support, companies grow through venture capital financings, initial public offerings, and mergers. We help clients navigate the transaction lifecycle by providing thorough due diligence reviews, anticipating post-transactional challenges, and equipping public companies to satisfy disclosure requirements.

Supporting Innovative Products and Ideas

Companies on the verge of launching an innovative product need a legal partner who shares their vision, ambition, and excitement. Our team has helped many companies overcome patent issues before launching products, including by engaging in the pre-litigation “patent dance” outlined in the

Biologics Price Competition and Innovation Act (BPCIA). We also guide international clients on the complexities of changing legal and regulatory rules as they seek to enter the US market.

Advancing Opportunities in Biochemistry

Unprecedented medical advancements fueled by CRISPR DNA technology are spurring innovative ideas across the life sciences industry. As smaller companies seek to gain market share, our patent litigation and counseling strategies are helping them keep their goals on track.

Experience

- Represented a developer of biosimilar therapeutics on several matters regarding a PEGylated G-CSF drug product, patent portfolio analysis, and preparation of abbreviated biologic license applications. This work included district court litigation under the Biologics Price Competition and Innovation Act (BPCIA), appeal, and numerous *inter partes* reviews at the PTAB.
- Defended a multinational pharmaceutical and medical device company in a lawsuit concerning allegations of patent infringement related to fibrin tissue sealants and bandages.
- Conducted an in-depth inventorship analysis for a biotechnology company that covered its core technology for which a third party was also claiming inventorship rights.
- Represented Lonza Group in a $5.5 billion acquisition of Capsugel SA; $3.1 billion offering of ordinary shares to finance the purchase of Capsugel; $1.2 billion acquisition of Arch Chemicals; and acquisition of controlling interest in Octane Biotech.
- Represented NPS Pharmaceuticals in a $100 million follow-on public offering of common stock.
- Represented Clementia Pharmaceuticals in a $60 million cross-over round; $137 million initial public offering of common stock; $70 million follow-on public offering of common stock.
- Representation of a medical device manufacturer in *qui tam* litigation alleging false claims in connection with the sale of medical devices to VA medical centers.
- Represented a developer of biosimilar therapeutics in a multi-year trade secret litigation concerning a recombinant-DNA manufacturing process used to make an oncology drug product.
- Provided legal guidance to start-up battery manufacturing company with submittal of PMN notification under TSCA.
- Represented a defendant in a long-running antitrust class action lawsuit concerning the distribution of certain medical devices.

Chair

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Related Capabilities

Antitrust and Competition Law

Appellate and Supreme Court

Bankruptcy and Restructuring

Business Litigation

COVID-19

Cannabis

Class Action

Congressional Investigations

Consumer Brands

Corporate

Culture Risk and Sensitive Investigations

Data Privacy and Cybersecurity

ERISA

ESG: Environmental, Social, and Governance

Education

Environmental and Workplace Health and Safety

Government Contractor Litigation and Compliance

Government Controversies and Public Policy Litigation

Hedge, Investment, and Private Equity Funds

Insurance Recovery and Counseling

Investigations, Compliance, and Defense

Investor and Securities Litigation

Litigation

Mergers and Acquisitions

National Security and Crisis

Patent Litigation and Counseling

Post-*Chevron* Task Force

Real Estate and Hospitality

Reproductive Health Task Force

State Attorneys General

Technology

Trade Secrets and Restrictive Covenants