

## Brianna (Chamberlin) Patterson

Associate



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Intellectual Property

Life Sciences

Hatch-Waxman Litigation

Life Sciences IP Litigation

Brianna focuses her practice on life sciences patent litigation, including Hatch-Waxman litigation and biologics litigation under the Biologics Price Competition and Innovation Act (BPCIA). Brianna has handled numerous aspects of complex patent litigation from due diligence through trial, including pre-suit due diligence, fact and expert discovery, taking and defending depositions, claim construction, briefing and arguing dispositive motions, and direct examination of witnesses at trial. She also has experience drafting appellate briefing submitted to the US Court of Appeals for the Federal Circuit.

Brianna has frequently presented on compliance with the patent marking statute (35 US Code § 287), as well as virtual marking practices. As part of this work, she has developed various best practices and tools, including standard operating procedures, for organizations ranging from startups to large pharmaceutical companies.

Prior to law school and while pursuing her bachelor's degree, Brianna worked in the Matzger Group at the University of Michigan, where she focused her research on crystal polymorphism of pharmaceutical and nutraceutical materials.

### Brianna's recent representative experience

- Defending Moderna in litigation brought by Alnylam over Moderna's COVID-19 vaccine, SPIKEVAX®. First of two cases dismissed after favorable *Markman* ruling, in *Moderna v. Alnylam (D. Del.)*
- Represented Alvotech in its multi-jurisdiction biosimilar dispute with AbbVie over arthritis drug adalimumab, sold as Humira, the world's top-selling drug by revenue, in *Alvotech USA Inc. et al. v. AbbVie Inc. et al.*, 1:21-cv-00589 (E.D. Va.) and *AbbVie Inc. et al. v. Alvotech hf.*, 1:21-cv-02258 (N.D. Ill.)\*
- Represented Dainippon Sumitomo Pharma (Sunovion) in protecting its multibillion-dollar branded drug Latuda, the company's best-selling product, in the first wave of litigation involving 16 generic drug company defendants, with the case being settled on the first day of trial and the magnitude of the result being reflected in the company's stock, which went up nearly 20% in a matter of hours after settlement details were made public\*
- Represented a branded pharmaceutical company concerning induced infringement by a generic challenger involving a Section VIII "carve out" label\*
- Represented defendant Cargill in a case relating to transgenic canola containing increased omega-3 fatty acids\*
- Took over a nearly decadelong pending patent litigation and successfully developed a settlement strategy\*

\* Representation handled prior to joining Cooley

### **Speaking engagements**

- Co-presenter, "[Life Sciences Litigation: Biosimilars, 2023 Year in Review](#)," Cooley Rx series, December 2023

## **Education**

University of Iowa College of Law

JD,

University of Michigan

BS,

## **Admissions & Credentials**

Minnesota

## **Court Admissions**

US District Court for the District of Minnesota

US Court of Appeals for the Federal Circuit

## **Rankings & Accolades**

Twin Cities Business: Notable Emerging Stars in Law (2022)

Minnesota Lawyer: Up & Coming Attorneys (2022)

Best Lawyers: Ones to Watch (2022)

Minnesota State Bar Association: North Star Lawyers (2022)

## **Memberships & Affiliations**

Minnesota Disability Bar Association