

## Orion Armon

Partner



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Colorado

Intellectual Property  
 Life Sciences IP Litigation  
 Intellectual Property Litigation  
 Patent Office Litigation  
 Medtech  
 Software

Orion is an experienced trial lawyer who focuses on multivenue, complex patent litigation matters in US district courts, at the Patent Trial and Appeal Board (PTAB) within the US Patent and Trademark Office (USPTO), and before the US Court of Appeals for the Federal Circuit. Orion has litigated cases involving ophthalmological stents, occlusion catheters, blood glucose monitoring systems, monoclonal antibodies for treating solid tumors and cancers of the blood under the abbreviated pathway for biosimilars via the Biologics Price Competition and Innovation Act (BPCIA), hydrogel surgical adhesives and other medical devices, and computer hardware and software technologies.

Orion's litigation victories before the Federal Circuit and PTAB have changed the law. Most notably, as lead counsel for Enfish, Orion developed the litigation and appellate strategy and argued the appeal that led to the plaintiff's victory over Microsoft in *Enfish, LLC v. Microsoft Corp.*, 2015–1244 (Fed. Cir. 2016). The *Enfish* decision helped settle the law on patent eligibility under 35 USC § 101 and is one of the most cited Federal Circuit precedents since 2016.

Orion focuses on high-stakes life sciences intellectual property litigation disputes in the biotech, pharma, medical device and software sectors. He is a frequent lecturer on USPTO post-grant proceedings, as well as intellectual property and patent matters. Orion's litigation statistics include:

- 107 district court patent infringement cases, 23 as lead counsel
- 47 PTAB proceedings, 22 as lead counsel
- 31 Federal Circuit appeals, 24 as lead counsel

**Orion's representative cases include serving as:**

- Lead trial counsel to Sight Sciences in *Sight Sciences, Inc. v. Alcon Inc., et al.* (US District Court for the District of Delaware and PTAB) – patent litigation involving ophthalmological stents for lowering intraocular pressure wherein a complete jury verdict in favor of Sight Sciences was obtained; the jury found all claims infringed, none invalid, and awarded \$5.5 million in lost profits and \$28.5 million in reasonable royalties for past damages
- Trial counsel to Samsung Bioepis in *Alexion Pharmaceuticals, Inc. et al. v. Samsung Bioepis Co. Ltd.* (D. Del.) – patent litigation involving a biosimilar to eculizumab, a monoclonal antibody used to treat several autoimmune disorders, resulting in the successful defeat of Alexion's motion for a preliminary injunction
- Lead counsel to Certus Critical Care in *Prytime Medical Devices, Inc. v. Certus Critical Care, Inc.* (D. Del.) – patent and false advertising litigation involving inflatable occlusion catheters for halting blood loss

in emergency situations

- Trial counsel to Vertos Medical in *Vertos Medical, Inc. v. Folsom Medical Products, et al.* (US District Court for the Northern District of Alabama) – patent and false advertising litigation involving methods and kits for lumbar decompression surgery
- Trial counsel to Absolute Software in *Sectra Communications AB, et al. v. Absolute Software, Inc., et al.* (US District Court for the Western District of Washington) – patent and false advertising litigation involving secure mobile VPN technologies
- Trial counsel to Absolute Software in *Softex, LLC v. Absolute Software, Inc.* (US District Court for the Western District of Texas) – patent infringement litigation involving mobile electronic device recovery and tracking software
- Lead trial counsel to Intuity Medical in *Heritage IP LLC v. Intuity Medical, Inc.* (D. Del.) – patent infringement litigation over blood glucose monitoring systems
- Lead counsel to Stryker in *Moxchange LLC v. Stryker Corporation* (US District Court for the Northern District of Illinois) – patent litigation over Stryker iBed Wireless technology
- Trial counsel to Celltrion and Teva in *Genentech, Inc., et al. v. Celltrion, Inc. and Teva Pharmaceuticals USA, Inc., et al.* (US District Court for the District of New Jersey) – patent litigation under BPCIA over a proposed rituximab biosimilar
- Lead trial and appellate counsel to HyperBranch and Stryker in *Confluent Surgical, Inc. v. HyperBranch Medical Technology, Inc.* (PTAB and Fed. Cir.) – inter partes review proceedings and related appeals over the validity of patents covering hydrogel surgical sealants and applicators
- Lead trial counsel to UCANN in *United Cannabis Corporation v. Pure Hemp Collective, Inc.* (US District Court for the District of Colorado and Fed. Cir.) – patent litigation over cannabidiol (CBD) compositions used for medical treatment
- Lead trial counsel to Prolacta Bioscience in *Ni-Q, LLC v. Prolacta Bioscience, Inc.* (US District Court for the District of Oregon) – patent litigation over methods of processing human donor milk for extremely premature infants
- Lead counsel to Cisco in *Cisco Systems, Inc. v. Vir2us, Inc.* (PTAB) – inter partes review proceedings over computer networking technologies
- Trial counsel to CertusView in *CertusView Technologies v. S&N Locating Services, LLC* (US District Court for the Eastern District of Virginia and Fed. Cir.) – patent litigation involving hardware and software used to document the locations of underground utilities
- Lead counsel to Palo Alto Networks in *Finjan v. Palo Alto Networks* (PTAB and Fed. Cir.) – inter partes review proceedings and related appeals involving malware detection software
- Lead counsel to Dot Hill in *Crossroads Systems v. Dot Hill Systems* (W.D. Tex., PTAB, Fed. Cir. and US Supreme Court) – patent litigation involving storage area networks
- Lead appellate counsel to Blackhawk Network in *e2Interactive, Inc. v. Blackhawk Network, Inc.* (Fed. Cir.) – patent litigation over stored value card processing systems
- Lead trial counsel to Enfish in *Enfish, LLC v. Microsoft Corp.* (US District Court for the Central District of California, PTAB and Fed. Cir.) – patent litigation over database architectures

## Education

University of Texas School of Law  
JD, 2003

University of Colorado at Boulder

BA, 1997

## Admissions & Credentials

Colorado

Registered to practice before the United States Patent and Trademark Office (USPTO)

## Court Admissions

US Supreme Court

US Court of Appeals for the Federal Circuit

US District Court for the District of Colorado

US District Court for the Eastern District of Texas

US District Court for the Western District of Texas

## Rankings & Accolades

Chambers USA: Intellectual Property – Colorado (2020 – 2024)

Best Lawyers in America: Intellectual Property Litigation

Managing Intellectual Property: IP Star

Super Lawyers: Intellectual Property Litigation

## Memberships & Affiliations

Colorado Bar Association

American Bar Association (ABA)

American Intellectual Property Law Association