

# Jitty Malik, PhD

Partner

Charlotte Office

+1.704.344.3185

jitty.malik@katten.com



## Practices

FOCUS: Intellectual Property  
Intellectual Property Litigation  
Patent Litigation and Patents  
Pharmaceutical and Life Sciences Litigation

## Education

JD, Wake Forest University School of Law  
PhD, University of Cincinnati, Polymer  
Science and Engineering  
MBA, University of Cincinnati  
MS, The University of North Carolina at  
Charlotte, Chemistry  
BS, The University of North Carolina,  
Chemistry

## Bar Admissions

North Carolina

## Community Involvements

Intellectual Property Owners Association,  
Pharmaceutical & Biotechnology Issues  
Committee

Dr. Jitendra "Jitty" Malik has a wide-ranging patent practice, which includes patent litigation, post-grant patent practice before the US Patent and Trademark Office, patent counseling and patent prosecution. With particular experience in the drug approval process under the Hatch-Waxman and Biologics Price Competition and Innovation Acts, he helps clients in developing strategies for marketing drug and biologic/biosimilar products, and challenging patents pursuant to the Hatch-Waxman Act and BPCIA.

## Patent counsel informed by scientific knowledge

Jitty's practice encompasses patent litigation, post-grant patent review, opinions, IP due diligence, licensing and prosecution. He is experienced in handling matters in which patents are challenged post grant before the US Patent & Trademark Office, including *inter partes* review and post-grant review process, *ex-parte* reexaminations and reissues.

His scientific knowledge includes chemistry, biochemistry, organometallic chemistry, polymer chemistry, physics and electrochemistry. Prior to law school, Jitty was a project supervisor for a leading chemical materials manufacturer. He has been published many times in scholarly scientific and legal publications and is a frequent speaker on legal matters.

## Representative Experience

- Litigation in the US District Court for the District of Delaware involving multiple patents associated with the treatment of early-stage idiopathic Parkinson's disease and moderate-to-severe restless legs syndrome using rotigotine.
- Lead trial counsel in the US District Court for the District of Delaware involving patents associated with a high-dose conditioning treatment prior

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to hematopoietic progenitor (stem) cell transplantation in patients with multiple myeloma using melphalan for injection.

- Lead trial counsel in the US District Court for the District of Delaware involving patents associated with the treatment of patients with metastatic colorectal cancer using regorafenib.
- Litigation in the US District Court for the District of New Jersey involving multiple patents directed to methylnaltrexone bromide formulation for subcutaneous injection.
- Lead trial counsel in the US District Court for the District of New Jersey involving patents associated with the treatment of adults with multiple myeloma using lenalidomide.
- Litigated in the US District Court for the District of Delaware involving five patents directed to a controlled release of budesonide.\*
- Litigated in the US District Court for the District of New Jersey involving multiple patents directed to treating schizophrenia, bipolar disorder, depression and autism spectrum disorders with aripiprazole.\*
- Litigated in the US District Court for the District of Delaware involving multiple patents directed to treating moderate to severe dementia of the Alzheimer's type with memantine.\*
- Litigated in the US District Court for the District of New Jersey involving two patents directed to the reduction of elevated total cholesterol using ezetimibe and simvastatin.\*
- Section 505(b)(2) Hatch-Waxman litigation in the US District Court for the District of New Jersey involving two patents directed to an intravenous formulation of acetaminophen.\*
- Litigated in the US District Court for the District of New Jersey involving numerous patents associated with the treatment of post-operative inflammation and reduction of ocular pain in patients who have undergone cataract surgery using a bromfenac ophthalmic solution.\*
- Represented one of the largest pharmaceutical companies in the world as plaintiff in patent infringement action involving medical foods before the US District Court for the Eastern District of Texas.\*

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- Represented developer of direct bonding technology for 3D integration as plaintiff in patent infringement action involving image sensors before the US District Court for the Northern District of California.\*
- Represented one of the world's largest chemical producers as plaintiff in patent infringement action involving animal health products before the US District Court for the Middle District of North Carolina.\*
- Defended developer of cardiovascular treatments in patent infringement action involving medical devices before the US District Court for the Northern District of California.\*
- Defended an integrated textile company in patent infringement action involving fabric technology before the US District Court for the Southern District of New York.\*
- Defended industrial valve manufacturer in patent infringement action involving industrial petrochemical equipment before the US District Court for the Central District of California.\*
- Represented fiber optics developer as plaintiff in patent infringement action before the US District Court for the Northern District of Georgia.\*
- Defended one of the largest petrochemical companies in the Americas in patent infringement action involving systems for petrochemical refining before the US District Court for the Western District of Texas.\*
- Represented developer of nutrient-use efficiency technologies as plaintiff in litigation involving patent directed to substances that improve plant growth.\*

\*Experience prior to Katten

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## Recognitions

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- *Abbreviated New Drug Application (ANDA) Litigation Intelligence Report*
  - Best Performing ANDA Attorneys overall (representing Plaintiffs or Defendants), 2020
  - Best Performing ANDA Attorneys representing Defendants, 2020
  - Best Performing ANDA Attorneys representing Plaintiffs, 2020
  - Top 100 Most Active ANDA Attorneys overall (representing Plaintiffs and Defendants), 2020
  - Top 100 Most Active ANDA Attorneys representing Defendants, 2020
- BTI Client Service All-Star
  - 2020
- IAM Patent 1000
  - World's Leading Patent Practitioners, 2020
- IPR Intelligence Report
  - Top 100 Best Performing IPR Attorneys Representing Petitioners

## News

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- Katten Partners Praised for Outstanding Client Service (December 10, 2020)
- Katten Named Among Top Three Best Performing Law Firms for ANDA Litigation (August 19, 2020)
- Katten Attorneys Named Leaders in Patent Law by *IAM Patent 1000* (June 22, 2020)
- Generics' 2nd Challenge To Acne Drug IP Succeeds At PTAB (June 2, 2020)

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- MDL Won't Stop PTAB From Reviewing Merck Diabetes Patent (May 13, 2020)
- Katten Intellectual Property Partner Featured in Patent Industry Report (August 29, 2019)
- Katten Draws Top IP Litigation Talent with Broad Pharma Experience (May 7, 2018)

## Publications

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- *USPTO Post-Grant Trials Handbook* (2016)
- A Second Bite of the Apple? Potential to Expand an Invalidity Argument in an IPR is Not Precluded by Joinder (May 2015)

## Presentations and Events

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- The Defend Trade Secrets Act (June 21, 2016) | *Co-presenter*
- Biotechnology Industry Organization (BIO) (April 17, 2015) | *Moderator* | *Recent Developments in IPR and Their Effect on the Life Sciences* | *Bio IP Counsels Committee Conference*