

# Joseph M. Janusz

*Partner*

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## Practices

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

## Education

JD, The George Washington University Law School  
BS, University of Florida, Industrial and Systems Engineering

## Bar Admissions

North Carolina  
US Patent and Trademark Office

## Court Admissions

US Court of Appeals, Federal Circuit  
US District Court, Eastern District of Michigan  
US District Court, Western District of North Carolina

Joe Janusz focuses his practice on complex patent litigation involving a variety of technologies and sciences. His considerable knowledge of the drug approval process is enhanced by his experience litigating Hatch-Waxman cases. This, along with his experience with other patent disputes, enables him to help clients develop patent and litigation strategies that keep their business objectives at the forefront of every decision.

## Client innovations profit from insightful litigation strategies

Joe has litigated disputes involving pharmaceutical compounds and compositions, medical devices, GPS technologies, semiconductors, retail security products and fresh produce. He has litigated cases in federal district courts across the country and has been counsel in a number of *inter partes* review proceedings before the Patent Trial and Appeal Board at the United States Patent and Trademark Office.

## Representative Experience

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- Counsel for some of the world's largest pharmaceutical companies in several Hatch-Waxman litigations.
- Lead trial counsel for Mylan in infringement dispute regarding multiple patents for topical foam acne treatment Evoclin®. Defendant Glenmark Pharmaceuticals filed antitrust counterclaims in response. Successfully dismissed all such counterclaims.
- Litigation in the US District Court for the District of Delaware involving multiple patents associated with pre-colonoscopy cleansing using sodium picosulfate, magnesium oxide and anhydrous citric acid.
- Lead trial counsel for one of the world's largest fresh produce distributors in a plant patent litigation in the US District Court for the Southern District of Florida. Obtained an apology from plaintiff for bringing the suit in the first place and a dismissal of all claims brought against our client. Also obtained acknowledgment that our client had an unrestricted right to practice the invention claimed in the plant patent all along.

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- Litigation in US District Court for the District of Delaware involving patent that purports to be related to treatment of deep vein thrombosis using rivaroxaban.
- Litigation in US District Court for the District of Delaware involving multiple patents associated with treatment of early-stage idiopathic Parkinson's disease and moderate-to-severe restless legs syndrome using rotigotine.
- Litigation in US District Court for the Middle District of Florida involving patent directed to controlled release of mesalamine.
- Litigation in US District Court for the District of New Jersey involving multiple patents directed to methylnaltrexone bromide formulation for subcutaneous injection.
- Litigation in US District Court for the District of Delaware involving multiple patents associated with treatment of irritable bowel syndrome with constipation, and chronic idiopathic constipation using linaclotide.
- Litigation in US District Court for the District of Delaware involving a patent associated with the treatment of inflammatory and pruritic manifestations of corticosteroid-responsive dermatoses in patients aged 12 years or older using Olux-E®.
- Litigation in US District Court for the District of Delaware involving multiple patents associated with the treatment of major depressive disorder using vortioxetine hydrobromide.
- Litigation in US District Court for the District of New Jersey involving multiple patents associated with the treatment of glycemic control in adults with type 2 diabetes mellitus using canagliflozin.
- Litigation in US District Court for the District of Delaware involving a patent associated with the treatment of HIV-1 infection in adults and pediatric patients weighing at least 40 kg using dolutegravir or abacavir, dolutegravir and lamivudine.
- Co-counsel in US District Court for New Jersey involving multiple patents directed to a dipeptidyl peptidase-4 inhibitor and its use for treatment of Type II diabetes. Obtained favorable judgment at the district court level followed by an affirmance of invalidity of two patents as lead counsel on

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appeal.

- Litigated in US District Court for the Northern District of West Virginia involving patents directed to delayed and extended release of mesalamine.\*
- Litigated in US District Court for the Northern District of California involving patents directed to semiconductor bonding technologies in image sensors.\*
- Litigated in US District Court for the Eastern District of Michigan involving patents directed to GPS technologies.\*
- Litigated in US District Court for the Northern District of Texas involving patents directed to retail security devices.\*
- Counsel in several *inter partes* review proceedings before the PTAB at the US Patent and Trademark Office.\*

## Notable Achievements

- Lead trial counsel in the District of Delaware involving a patent associated with the treatment of the pain of osteoarthritis of the knees. Obtained summary judgment that our client had a license to the asserted patent within six months of the complaint being filed.

\*Experience prior to Katten

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## Recognitions

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*Recognized or listed in the following:*

- *ANDA Litigation Intelligence Report*
  - Best Performing ANDA Attorneys Overall (Representing Plaintiffs or Defendants), 2020
  - Best Performing ANDA Attorneys Representing Defendants, 2020–2023
  - Best Performing ANDA Attorneys Representing Plaintiffs, 2020
  - Most Active ANDA Attorneys Representing Defendants, Top 100, 2020–2022; Top 20, 2023
  - Most Active ANDA Attorneys Overall (Representing Plaintiffs and Defendants), Top 100, 2020–2023
- *Best Lawyers in America*
  - Ones to Watch
    - Intellectual Property Law, 2021–2024
    - Litigation - Intellectual Property | Litigation - Patent, 2021–2024
- IAM Patent 1000
  - Recognized Individual, North Carolina, 2023

## News

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- Katten Ranked Top Three Firm in Hatch-Waxman Litigation (September 5, 2023)
- Katten Attorneys Distinguished by *Best Lawyers*® (August 17, 2023)
- Katten IP Practice Lauded in *IAM Patent 1000* (June 29, 2023)

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- Federal Court Awards Precedent-Setting Victory to Katten Client Apotex in Patent Infringement Dispute (November 9, 2022)
- Katten Intellectual Property Team Secures Significant Victory for Apotex in Hatch-Waxman Litigation (November 1, 2022)
- Katten Ranks Among Top Three Most Active Law Firms in ANDA Litigation (August 22, 2022)
- Katten Attorneys Recognized by *Best Lawyers*® (August 18, 2022)
- Katten Ranked in Top Five Most Active Law Firms for ANDA Litigation (August 23, 2021)
- Katten Attorneys Listed in *The Best Lawyers in America*® (August 19, 2021)
- *Law360* Celebrates Katten's New Partner Class (February 8, 2021)
- Katten Announces New Partner Class (October 30, 2020)
- Katten Attorneys Distinguished as Top Legal Talent in the 2021 *Best Lawyers in America* and *Best Lawyers: Ones to Watch* Lists (August 20, 2020)
- Katten Named Among Top Three Best Performing Law Firms for ANDA Litigation (August 19, 2020)
- Fed. Circ. Revives Boehringer Diabetes Drug Patent (March 16, 2020)
- Katten Attorneys Win Dismissal of Avocado Patent Lawsuit (June 12, 2019)
- Deepto Mukerjee Quoted in *Law360* Regarding Plant Patent Infringement Win (June 11, 2019)