



Lance A. Soderstrom

Partner

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Practices

FOCUS: Intellectual Property

Intellectual Property Litigation

Patent Litigation

Education

JD, University of Michigan Law School

MS, Engineering, University of Michigan

BSE, University of Michigan

Bar Admissions

New York

Lance Soderstrom is a partner in the firm's Intellectual Property practice. For nearly a decade, he has litigated patents relating to a range of technologies—from pharmaceutical compounds to medical devices to computer software programs. Lance has concentrated his practice in Hatch-Waxman litigations, representing some of the largest pharmaceutical companies in the world. He has argued claim construction hearings and at trial, and has litigated cases in the Southern and Eastern Districts of New York, Northern and Southern Districts of California and district courts of Illinois, New Jersey, Delaware, Florida and Texas.

Lance also has substantial experience in the drug approval process under the Hatch-Waxman Act, including developing patent strategies to assist clients in marketing drug products and evaluating competitive patents. He is also often asked to provide intellectual property advice to multinational corporate clients on how to better leverage existing and newly constituted IP portfolios.

Lance has served as a guest lecturer at the University of Michigan's College of Engineering, lecturing on technology innovation, Hatch-Waxman litigations, personalized medicine and regulation. He has also lectured at Columbia Business School on topics including patent, trademark, copyright and trade secret protections.

Selected Experience

- Lead trial counsel for some of the world's largest generic pharmaceutical companies in several Hatch-Waxman litigations throughout the country.
- Lead trial counsel for one of the world's largest pharmaceutical companies in an infringement dispute regarding multiple patents for topical foam acne treatment Evoclin®; defendant Glenmark Pharmaceuticals filed an antitrust counterclaim in response. Katten successfully persuaded the US District Court for the District of Delaware to dismiss the counterclaim.
- Lead trial counsel 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; recently obtained a Judgment of Non-infringement on both asserted Orange Book patents.



- Co-counsel in the 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 of invalidity; lead counsel on appeal.
- 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, as well as acknowledgment that our client had an unrestricted right to practice the invention claimed in the plant patent all along.
- Lead trial counsel in the US District Court for the Middle District of Florida involving a patent directed to a controlled release of mesalamine; successfully obtained a Rule 36 affirmance from the US Court of Appeals for the Federal Circuit affirming the original trial court victory.
- Lead trial counsel in the US District Court for the Southern District of Florida and before the Patent Trial and Appeal Board involving a patent associated with the treatment of symptoms associated with seasonal and perennial allergic rhinitis using levocetirizine dihydrochloride solution. Successfully stayed the underlying litigation in view of a filed *inter partes* review petition; successfully obtained institution of that petition.
- Lead trial counsel in the US District Court for the District of New Jersey involving a patent associated with the relief of bronchospasm in patients 2 to 12 years of age with asthma (reversible obstructive airway disease) using AccuNeb®.
- Lead trial counsel in the US District Court for the District of Delaware involving a patent that purports to be related to the treatment of deep vein thrombosis using rivaroxaban.
- Lead trial counsel 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 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 Delaware involving multiple patents associated with the treatment of irritable bowel syndrome with constipation, and chronic idiopathic constipation using linaclotide.
- Lead trial counsel in the 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®.
- Lead trial counsel in the US District Court for the District of Delaware involving multiple patents associated with the treatment of major depressive disorder using vortioxetine hydrobromide.



- Lead trial counsel in the 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.
- Lead trial counsel in the US District Court for the District of Delaware involving a patent associated with the treatment of HIV-1 infection in adults and in pediatric patients weighing at least 40 kg using dolutegravir or abacavir, dolutegravir and lamivudine.
- While at a prior firm:
 - Counsel for a leading online provider of employment-related services in a patent infringement action in the US District Court for the Southern District of California.
 - Counsel for a leading producer of pharmaceutical and dietary ingredients in false advertising litigations in the US District Court for the Southern District of New York and the US Court of Appeals for the Second Circuit.
 - Co-counsel in the US District Court for the Northern District of West Virginia involving a patent directed to a delayed and extended release of mesalamine; obtained favorable judgment of non-infringement.
 - Litigation 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.

Advisories

- Supreme Court Declines To Disturb Pre-AIA Interpretation of "On Sale" Bar (January 25, 2019)

