

# Brian Sodikoff

*Partner and Co-Chair, Patent Litigation*

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## Practices

FOCUS: Intellectual Property

Antitrust and Competition

Entrepreneurial Ventures

Intellectual Property Litigation

Patent Litigation and Patents

Pharmaceutical and Life Sciences Litigation

## Industries

Pharmaceutical and Life Sciences

Technology

## Education

JD, DePaul University College of Law,  
*summa cum laude*

BS, Vanderbilt University

## Bar Admissions

Illinois

US Patent and Trademark Office

## Court Admissions

US District Court, Northern District of Illinois

US Court of Appeals, Federal Circuit

## Community Involvements

American Bar Association

The Chicago Bar Association

Brian Sodikoff is the co-chair of Katten's Patent Litigation practice. He helps pharmaceutical companies and other clients use patent law to promote the growth of their businesses. He devotes a significant part of his practice to Hatch-Waxman litigation and other complex patent disputes. Beyond pharmaceuticals and medical devices, his matters have involved technologies such as thermoplastic air bag covers, automated truck transmissions, DVD technology and hard disk drives.

## Hatch-Waxman litigation and beyond

Brian has particular experience with the interplay between patent, FDA and competition law, and how it impacts a company's ability to enter the market. He has represented numerous leading pharmaceutical companies in Hatch-Waxman patent litigation, with significant pre-trial, trial and appellate success. With his knowledge of the pharmaceutical industry, Brian also is routinely tapped for guidance on activities from internal product selection to crafting settlement agreements to diligence on acquisitions of select drugs or companies.

A registered patent attorney, Brian prosecutes and secures patents, partnering with clients to design strategies to create patent protection that transforms ideas into durable business advantages. He particularly enjoys working with entrepreneurial companies and start-ups, and has worked with several local incubators and universities on IP issues for young companies.

## Representative Experience

- Represented MedTorque in patent litigation surrounding a medical device. Secured dismissal of one of three asserted patents in a motion to dismiss. Convinced plaintiff to voluntarily drop a second patent. Secured recommendation of summary judgment of non-infringement from magistrate before settling entire matter on favorable terms.
- Represented Apotex in patent litigation surrounding a proposed generic version of Provigil® (modafinil). At trial, proved the relevant patent unenforceable in one of the first cases applying the Federal Circuit's heightened *Therasense* standard. Also proved the patent invalid on

**"Blended patent, regulatory and unfair competition law expertise gives him his edge, even against opponents from some of the most powerful law practices in the country."**

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