

Bindu Donovan

Partner

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Bindu Donovan is a partner in Desmarais LLP's Life Sciences Practice, focusing on pharmaceutical and medical device litigation. She has more than two decades of experience in life sciences patent litigation, and has significant experience handling cases filed under the Hatch-Waxman Act on behalf of innovator drug companies. She has represented some of the world's leading life sciences companies in high-stakes patent disputes, including cases involving treatments for cancer, influenza, diabetes and neurological and ophthalmic disorders, as well as drug-eluting stents.

Ms. Donovan was named as one of the Top 250 Women in Litigation by Benchmark Litigation (2013-2018), a publication honoring the achievements of female lawyers in litigation practices in the United States. In addition, Ms. Donovan was recognized for her life sciences-related patent work in the 2016-2018 editions of *LMG Life Sciences*. She was also recognized in the 2016-2018 editions of *Who's Who Legal: Patents*.

Before joining Desmarais LLP, Ms. Donovan was a partner in the Intellectual Property Litigation Practice in Sidley Austin LLP's New York office.

Prior Experience

- Partner, Sidley Austin LLP, New York 2008-2018
- Associate, Sidley Austin LLP, New York 2005-2008
- Associate, Fish & Neave, New York 1998-2005

Courts

- United States Court of Appeals for the Federal Circuit 2005
- United States Court of Appeals for the First Circuit 2003
- United States District Court for the Southern District of New York 1999
- United States District Court for the Eastern District of New York 1999

Memberships & Affiliations

- New York Intellectual Property Law Association
- American Bar Association

EDUCATION

Fordham University School of Law,
J.D., 1998

Western University, M.S., Biology,
1993

York University, B.S., Biology, 1990

ADMISSIONS

1999, New York

Other Distinctions

- Top 250 Women in Litigation, *Benchmark Litigation* (2013-2018)
- Local Litigation Star, *Benchmark Litigation* (2017-2018)
- Ranked in Intellectual Property – Hatch Waxman Patent Litigation (Branded), *LMG Life Sciences* (2016-2018)
- Ranked in Intellectual Property – General Patent Litigation, *LMG Life Sciences* (2016-2018)
- *Who's Who Legal: Patents* (2016-2018)
- New York IP Star, *Managing Intellectual Property* (2015)

Representative Matters

- Represented patent holder **Johnson & Johnson subsidiary, Janssen**, in patent infringement suits filed under the Hatch-Waxman Act and *inter partes* review proceedings involving prostate cancer drug, Zytiga®.
- Represented patent holders **Gilead and Roche/Genentech** in patent infringement suit filed under the Hatch-Waxman Act involving influenza drug, Tamiflu®.
- Represented patent holders **Cordis Corporation and Wyeth** in patent infringement suits involving drug eluting stents.
- Represented defendant **Johnson & Johnson** in patent infringement suit involving sunscreen compositions.
- Represented patent holder **Noven Pharmaceuticals** in patent infringement suit filed under the Hatch-Waxman Act involving transdermal patch for ADHD.
- Represented patent holder **Eli Lilly and Company** in patent infringement suit filed under the Hatch-Waxman Act involving ADHD drug, Strattera®.
- Represented patent holder **SmithKline Beecham** in patent infringement suit filed under the Hatch-Waxman Act involving Type 2 diabetes drug, Avandia®.
- Represented patent holder **Massachusetts Eye and Ear Infirmary** in a patent infringement suit involving ophthalmic drug, Visudyne®.
- Represented **Massachusetts Eye and Ear Infirmary** in successful appeal from the District Court's grant of summary judgment in a case involving *inter alia*, unjust enrichment, trade secret misappropriation, and unfair trade practice claims arising out of inventorship dispute concerning ophthalmic drug, Visudyne®.

Publications

- "Effective Selection and Retention of Testifying Experts for Patent Infringement Litigation," *IP Litigator*, Volume 19 NO. 4, (July/August 2013).