

Litigator of the Week

Runners-Up and Shout Outs

By Ross Todd
September 30, 2022

► Our first runner-up this week is **John Desmarais**, the founding partner of **Desmarais LLP**, who last week landed a \$272.5 million patent infringement verdict for client Ravgen against medical testing giant Labcorp related to non-invasive prenatal genetic testing technology. That tally, which is what Desmarais asked the Waco, Texas, jury for in his closing argument, amounts to a royalty rate of \$100 per test for the 2.7 million tests Labcorp sold that use the mother's blood to detect conditions such as Down syndrome as early as nine weeks into pregnancy. "The world before this patent was very inhospitable to mothers and prenatal care," Desmarais said during closing. "You had three choices: You stick a big needle in your belly and do amniocentesis, almost hit the baby, cause a miscarriage; you get your placenta biopsied, possibly causing a miscarriage; or you get serum screening, which often gave you false positives. Think about that. There's no dispute about that. That was the world before this invention." The jury also found that Labcorp willfully infringed. The trial team also included firm partner **Kerri-Ann Limbeek**, and associates **Benjamin Luehrs**, **Kyle Petrie**, **Joze Welsh**, **Jun Tong** and **Deborah Mariottini**.