

Stanley E. Fisher

Partner

Stan Fisher is a trial lawyer and counselor who focuses his practice primarily on issues that affect technology companies in the biopharmaceutical, chemical, diagnostic, mechanical, and electronic sectors. This includes patent, FDA, and antitrust disputes and issues, as well as those involving contracts, licensing, business torts, and so-called “soft” intellectual property (trade secrets, trademarks, and copyrights). Stan has tried cases for Pfizer, Merck, Samsung, AstraZeneca, Bayer, Alcon, bioMérieux and Vornado Realty Trust, and has appeared on behalf of many others including Celgene (now BMS), Endo, Leo, and Foamix.

Stan is a recent Past President of the Giles S. Rich American Inn of Court, the Intellectual Property Inn of Court in Washington, D.C. generally affiliated with the U.S. Court of Appeals for the Federal Circuit. He was named a “Super Lawyer” in 2016-2017 and a Washington, D.C. “Rising Star” for intellectual property in 2014 by *Super Lawyers*, a rating service affiliated with Reuters.

Stan was recently appointed Professorial Lecturer in Law at The George Washington University Law School, where he will be teaching Chemical & Biotech Patent Law.

Stan received his B.S. in Molecular Biophysics & Biochemistry from Yale College in 1997 and his J.D. from The George Washington University Law School in 2004, where he graduated with Highest Honors and served as Editor-in-Chief of *The George Washington Law Review*. He joined Williams & Connolly in March 2006 after clerking for Judge Richard Linn at the U.S. Court of Appeals for the Federal Circuit. Stan is a current member of the firm's Budget Committee and former member of the Hiring Committee.

Representative Experience

Though all cases vary and none is predictive, Stan’s experience includes:

- Counsel for Merck in Hatch-Waxman patent litigation involving Januvia® (sitagliptin).
- Counsel for AstraZeneca in brand v. brand patent litigation involving Calquence® (acalabrutinib).
- Counsel for a global pharmaceutical company in two antitrust cases involving allegations that the company delayed development of



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Education

The George Washington University Law School, J.D., with highest honors, 2004: Order of the Coif; Editor-in-Chief, *The George Washington Law Review*; ALI-ABA Scholarship & Leadership Award; Jennie Hassler Walburn Award for Civil Procedure
Yale University, B.S., 1997: Molecular Biophysics & Biochemistry

Practice Focus

Patent Litigation
Civil Litigation and Trial Practice
Commercial Litigation
Food & Drug Administration (“FDA”) Regulation
Unfair Competition, Trade Secrets and Restrictive Covenants
Trademark and Copyright
Administrative Law
Arbitration
International Disputes
Real Estate

Recognitions

Selected to *Super Lawyers*, 2016-

generic versions of two drugs.

- Counsel for a global pharmaceutical company in negotiation of license agreement relating to FDA-approved pharmaceutical product.
- Counsel for Pfizer in Hatch-Waxman patent litigation involving Inlyta® (axitinib).
- Counsel for global diagnostics company, Biomérieux, in patent litigation involving diagnostic kits for the detection of HIV virus in blood products in the both the PTAB and federal district court.
- Counsel for Leo and Foamix in Hatch-Waxman patent litigation involving Finacea® Foam.
- Trial counsel to a major technology company in an international patent licensing arbitration before a three-member panel involving the price the company was required to pay to extend a patent license agreement covering products with billions of dollars in revenue.
- Trial counsel for AstraZeneca in the first “pay-for-delay” antitrust case tried following the Supreme Court’s decision *FTC v. Actavis*. The case was at the intersection of antitrust, patent, and FDA law. The jury returned a defense verdict. The U.S. Court of Appeals for the First Circuit affirmed the jury’s verdict in favor of AstraZeneca, finding that the plaintiffs had not shown that they had suffered an antitrust injury that entitled them to damages.
- Trial counsel to Pfizer, Inc. in a number of Hatch-Waxman patent cases against different generic manufacturers. These include related cases involving the drug, Tygacil®, a broad spectrum antibiotic with \$150 million in annual U.S. sales. Pfizer subsidiary Wyeth prevailed on all claims against Apotex in one of the first *inter partes* review pharmaceutical patent cases decided by the PTAB and the Court of Appeals for the Federal Circuit.
- Counsel for Endo Pharmaceuticals in antitrust litigation in the Northern District of California. The case concerned allegations that a patent settlement between Endo and Watson Pharmaceuticals concerning Endo’s pain patch, Lidoderm, violated the antitrust laws.
- Trial counsel in additional Hatch-Waxman work for Pfizer including defending against Mylan’s challenge to the patents on Pfizer’s cancer drug, Sutent® which sells over \$1 Billion per year. The District Court ruled in Pfizer’s favor. The Court of Appeals for the Federal Circuit affirmed the decision on appeal.
- Counsel for Bayer in an Administrative Procedure Act challenge to FDA’s approval of generic versions of Bayer’s veterinary antibiotic drug Baytril®.

2017

Selected to Washington, D.C. “Rising Stars” list, *Super Lawyers*, 2014

Admissions

Virginia

District of Columbia

United States Supreme Court

United States Court of Appeals

Federal Circuit

United States District Court for the

Eastern District of Wisconsin,

District of Maryland, Eastern District

of Virginia, and District of Columbia

United States Patent and Trademark

Office

- Counsel to Alice Corporation in the landmark *CLS Bank International v. Alice Corporation* matter before the district court and Federal Circuit.
- Counsel to technology company in a patent infringement case concerning smartphones with cameras.
- Counsel to media company in a copyright infringement and breach of contract case against a direct-broadcast satellite service provider and its affiliated entities.
- Counsel in various licensing disputes.
- Counsel to a venture-backed medical device company in confidential arbitration over a dispute involving the interpretation of a Warrant Agreement.

Resources

Presentations

- *Stan Fisher to Teach Chemical & Biotech Patent Law at GW Law*, February 2020
- *Stanley Fisher Speaks at Leahy Institute of Advanced Patent Studies Conference*, February 2019