



JAMES K. STRONSKI

PARTNER

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PRACTICES

- Litigation & Trial
- Intellectual Property Litigation
- Commercial Litigation
- Pharmaceuticals & Life Sciences
- Pharmaceutical & Biologics Litigation
- Intellectual Property
- Antitrust & Competition Law
- Pharmaceutical Industry & Prescription Drugs
- Regulatory & Policy

Jim Stronski is a partner in the New York office of Crowell & Moring and a member of the Intellectual Property Group as well as the Litigation & Trial Department. Jim is a first-chair trial lawyer who concentrates his practice in IP litigation and related commercial disputes. He has litigated in courts nationwide for nearly 25 years. Jim has been listed in the *New York Super Lawyers Metro Edition* for intellectual property litigation each year since 2006.

One area of Jim's practice is the representation of generic pharmaceutical companies in patent litigation under the Hatch-Waxman Amendments to the Federal Food Drug & Cosmetic Act, as well as the representation of biosimilar applicants under the Biologics Price Competition and Innovation Act. Jim represents pharmaceutical companies concerning patent, regulatory and commercial obstacles to the commercialization of generic or biosimilar products, as well as in related commercial and licensing disputes. Jim takes an aggressive but practical approach, coupled with an extensive knowledge of the regulatory framework in which these cases are litigated, to achieve favorable results for his clients. He also speaks regularly on topics concerning litigation under the Hatch-Waxman Act. More broadly, Jim handles patent litigation across multiple industries. Jim's industry experience includes pharmaceuticals, medical devices, the internet, consumer products and luxury goods, plastics and high-tech composites, health care, and semiconductor manufacturing equipment.

Jim's litigation practice also includes disputes over trade secrets, trademarks and unfair competition, and copyrights. Additionally, Jim has first chaired cases at the PTO before the Trademark Trial and Appeal Board, including through trial, and advises clients on trademark infringement and clearance issues. Jim has served on the Editorial Board of the International Trademark Association's Trademark Reporter and has served as a moot court judge through several organizations, including the International Trademark Association.

Jim was managing editor of the *Fordham International Law Journal* from 1987-1988 and was Law Clerk to the Honorable Judge Shirley Wohl Kram, U.S. District Court, Southern District of New York, from 1988-1990.

Representative Matters

- *Delcor Asset Corporation and Prestium Pharma, Inc. v. Taro Pharmaceutical Industries, Ltd.*, et al, No. 16-117-UNA, U.S. District Court for the District of Delaware (2016 to present)
- *In re CIPRODEX*, Consolidated Civil Action No. 3:15-cv-05756 (PGS) (DEA), U.S. District Court for the District of New Jersey (2016 to present)
- *Noven Pharmaceuticals, Inc. v. Actavis Laboratories UT, Inc.*, No. 15-249-LPS, U.S. District Court for the District of Delaware (2015 to present)
- *Shenanzhu LLC d/b/a The Diner v. Cambria Company LLC, et al.*, 15 CV 00338 (WHP), U.S. District Court for the Southern District of New York (2015 to present)
- *Cephalon, Inc. v. Actavis Laboratories FL, Inc. et al.*, No.14-776-SLR-SRF, U.S. District Court for the District of Delaware (2014 to present)
- *State of Ohio v. Apanovitch*, CR 84: 194156, Court of Common Pleas, Cuyahoga County, Ohio (2012 to present)
- *Pfizer Inc. et al. v. Actavis Laboratories FL, Inc.*, No. 11-914, U.S. District Court for the District of Delaware. (2012-2014)
- *Multilayer Stretch Cling Film Holdings, Inc. v. MSC Marketing and Technology, Inc.*, et al, No. 2:12 cv 02112, U.S. District Court fo the Western District of Tennessee (2012-2014)
- *Takeda Pharmaceutical Co., Ltd et al. v. Handa Pharmaceuticals, LLC and Par Pharmaceutical, Inc.*, No. 3:11-840 U.S. District Court for the Northern District of California (2012-2014)
- *Handa Pharmaceuticals, LLC and Par Pharmaceutical, Inc. v. Takeda Pharmaceutical Co., Ltd et al. v.*, No. 5:13-1927, U.S. District Court for the Northern District of California (2013-2014)
- *Shire Development, LLC v. Watson Pharmaceuticals, Inc.*, U.S. District Court for the Southern District of Florida (2012-2013)
- *Sanofi Aventis US LLC, et al. V. Watson Pharmaceuticals, Inc.*, No. 1:2153 (SDW)(MCA), U.S. District Court for the District of New Jersey (2011-2012)
- *Cephalon, Inc. et al. v. Watson Pharmaceuticals, Inc. et al.* (C.A. 08- 330-SLR; 09-724-SLR), U.S. District Court for the District of Delaware, 2008-2011
- *Purdue Pharma L.P. et al. v. Mallinckrodt, Inc.* (06-CV-13095), U.S. District Court for the Southern District of New York, 2008
- *Reliant Pharmaceuticals, Inc. v. Par Pharmaceuticals, Inc.* (C.A. 06-774- JJF), U.S. District Court for the District of Delaware, 2006-2008
- *Glaxo SmithKline v. Spectrum Pharmaceuticals* (05-99-GMS; 06-0558-GMS), U.S. District Court for the District of Delaware, 2006
- *In re Rivastigmine Patent Litigation* (MDL No. 1661), U.S. District Court for the Southern District of New York, 2004-2008
- *Pliant Corporation v. MSC Marketing & Technology, Inc.* (04-CV-3509 (JBZ)), U.S. District Court for the Northern District of Illinois, 2004-2007

- *Cephalon, Inc. v. Carlsbad Technology, Inc.* (05 CV 1089 (JCL)), U.S. District Court for the District of New Jersey, 2005-2006
- *Lambertson Truex, Inc. v. Sibeu Handbags, Inc.* (03 Civ. 4510 (JES)), U.S. District Court for the Southern District of New York, 2003
- *Electronic Products Distribution, LLC v. Bio-Medical Research Ltd.* (02 Civ. 00251 (JES)), U.S. District Court for the Southern District of New York, 2002-2005
- *Medichem S.A. v. Rolabo S.L.* (01 Civ. 3087 (JSR)), U.S. District Court for the Southern District of New York, 2001-2007
- *Tokyo Electron Arizona, Inc. v. Discreet Industries Corporation, et al.* (01-3245 (DRH)(WDW)), U.S. District Court for the Eastern District of New York, 2001-2004
- *Ocean Pacific Apparel Corp., v. Rays Apparel, Inc.* (01 Civ. 7058 (KMW)), U.S. District Court for the Southern District of New York, 2001
- *Minnesota Mining and Manufacturing Co. and Riker Laboratories, Inc. v. Alphapharm Pty. Ltd.* (99-0013 (MJD/JL)), U.S. District Court for the District of Minnesota, 1999-2002
- *SmithKline Beecham v. Watson Pharmaceuticals, et al.* (99 Civ. 9214 (DC)), U.S. District Court for the Southern District of New York, 1999- 2000
- *Granutec, Inc. v. Shalala* (97-485-5-BO), U.S. District Court for the Eastern District of North Carolina, 1997-1998

Admissions/Affiliations

Admitted to practice

Courts of the State of New York

U.S. District Court for the Southern District of New York

U.S. District Court for the Eastern District of New York

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Second Circuit

U.S. Supreme Court

Professional Activities & Memberships

Jim is a member of several bar associations, including the Federal Bar Council and its Intellectual Property Committee, the Federal Bar Council's American Inn of Court where he serves as a Master, the Federal Circuit Bar Association, and the New York Intellectual Property Lawyers Association.

Education

- Dartmouth College, B.A. (1984)
- Fordham University School of Law, J.D. (1988)

Speaking Engagements

- "Timing is Everything: Managing the Logistics of the BPCIA Exchange Process and Preparing for "Early" and "Late" Phase Litigation," ACI - Biosimilars: The Definitive Forum on the Legal, Regulatory, Patent, and Commercial Realities of Biosimilars (June 6, 2014). Presenter: James K. Stronski.
- "A Pros and Cons Analysis of Launch at Risk and Survey of New Developments in Seeking Injunctive Relief and Damages," American Conference Institute, 8th Annual Paragraph IV Disputes (April 29, 2014). Speaker: James K. Stronski.
- "Inequitable Conduct Developments in the Courts and at the PTO: Ethical Considerations for Paragraph IV Cases," American Conference Institute, 7th Paragraph IV Disputes (May 8, 2013). Speaker: James K. Stronski.
- "Updating the Standards in Inequitable Conduct Post-Therasense: Ethical Considerations for Paragraph IV Cases," American Conference Institute 3rd West Coast Edition Paragraph IV Disputes Conference, San Francisco, CA (December 4-5, 2012). Speaker: James K. Stronski.
- "Eye on the Federal Circuit and District Courts: Life Cycle Lessons Derived from Paragraph IV Litigation," American Conference Institute's 11th Annual Maximizing Pharmaceutical Patent Life Cycles (October 7, 2010). Speaker: James K. Stronski.
- "Eye on the Federal Circuit and District Courts: Life Cycle Lessons Derived from Paragraph IV Litigation," American Conference Institute's 10th Annual Maximizing Pharmaceutical Patent Life Cycles (October 9, 2009). Speaker: James K. Stronski.
- Markman Hearings and Claim Construction in Patent Litigation 2008, Practising Law Institute (July 9, 2008). Speaker: James K. Stronski.
- "Preliminary Injunctions In Pharmaceutical Patent Litigation," American Conference Institute's Paragraph IV Disputes Conference (May 1, 2008). Speaker: James K. Stronski.

Publications

- "[Utah's Supreme Court Applies Rebuttable Presumption of Harm In Trade Secret Case](#)," *Crowell & Moring's Trade Secrets Trends* (September 2, 2015). Author: James K. Stronski.
- "[The Federal Circuit Seeks to Rein in Inequitable Conduct in Therasense](#)," *BNA's Pharmaceutical Law & Industry Report* (July 1, 2011). Co-Authors: James K. Stronski and Chiemi Suzuki.

Alerts & Newsletters

- "[Four Takeaways for In-House Counsel from the Dec. 1 Amendments to the Federal Rules](#)," *IP Insights* (December 3, 2015). Contacts: James K. Stronski, Ethan W. Simonowitz, Anne Elise Herold Li.
- "[Federal Circuit Expands Direct Infringement Involving Multiple Actors](#)," *Intellectual Property Bullet Analyses* (August 14, 2015). Contacts: James K. Stronski, Vincent J. Galluzzo, Anne Elise Herold Li, Peter J. Park.
- "[Federal Circuit: 'Molecular Weight' Is Still Indefinite](#)," *IP Insights* (June 22, 2015). Contacts: James K. Stronski, Anne Elise Herold Li, Craig P. Lytle.

- "[District Court's Decision Paves the Way for the First U.S. Biosimilar](#)," *Life Sciences Alert* (March 23, 2015). Contacts: Terry Rea, Keith J. Harrison, James K. Stronski, Anne Elise Herold Li, Mary Anne Schofield, Ph.D., Pilar Stillwater.
- "[Three Take-Aways from Novartis' Historic First U.S. Biosimilar Approval](#)," *Life Sciences Alert* (March 11, 2015). Contacts: Terry Rea, Keith J. Harrison, James K. Stronski, Anne Elise Herold Li, Mary Anne Schofield, Ph.D., Pilar Stillwater.
- "[First Final Written Decision in Inter Partes Review of Pharmaceutical Related Patents](#)," *IP Insights* (June 27, 2014). Contacts: James K. Stronski, Mark T. Jansen, Terry Rea, Scott L. Bittman.

Press Releases

- [Super Lawyers Recognizes 90 Crowell & Moring Attorneys](#) (Oct.27.2015)
- [Super Lawyers 2014 Recognizes 90 Crowell & Moring Attorneys](#) (Sep.30.2014)
- [Super Lawyers 2013 Recognizes 64 Crowell & Moring Attorneys](#) (Sep.01.2013)
- [Super Lawyers 2012 Recognizes 42 Crowell & Moring Attorneys](#) (Sep.01.2012)
- [Pharmaceutical Litigation Partner James Stronski Joins Crowell & Moring](#) (May.04.2011)