

FIRM OVERVIEW

Founded in 1934, Wiggin and Dana is a regional law firm with a global reach with 146 attorneys in Connecticut, New York, Philadelphia, Washington, DC and Palm Beach. Consistently recognized by Chambers USA and Benchmark Litigation among others, Wiggin and Dana's attorneys offer a full range of legal services to a diverse client base, including foreign sovereigns, Fortune 50 & 100 finance, insurance, defense, aerospace, and life sciences companies, hospitals, universities, startups, charitable organizations and high-net worth individuals.

Our primary mission is to provide our clients with the highest-quality legal services in an efficient, cost-effective and responsive manner to help them achieve their goals. We believe Wiggin and Dana exemplifies the best of the old and new—a proudly independent firm devoted to excellence and dedicated to crafting innovative solutions for our clients.

Wiggin and Dana remains committed to providing every client, large and small, with the personal attention and skill of the firm's partners. We take the time to understand each client's needs and goals and assign to each matter a sensible number of lawyers with appropriate experience and skills. This focused approach enables us to provide intelligent, practical and economical counsel.

The firm has an enviable record handling the most demanding legal matters, including sophisticated corporate transactions for international clients and complex administrative proceedings, arbitrations, litigation and enforcement actions across the United States. Clients also turn to Wiggin and Dana for help with specific transactions and complex proceedings in areas where the firm has particular knowledge and experience. For example, in the areas of:

- mergers and acquisitions,
- venture capital and private equity,
- a full range of legal services sought by the technology community, including the protection of intellectual property as well as domestic and international licensing and distribution,
- complex commercial litigation, including class actions,
- government investigations, white collar defense and antitrust,
- sophisticated labor and employment matters,
- the development and financing of health care facilities, and
- all aspects of franchise, distributor and dealer litigation.

We act as general or special counsel for

- new technology companies and start-ups,
- publicly traded corporations,
- life sciences companies,
- banks and financial institutions,
- accounting, architectural engineering and securities firms,
- public utility companies,
- insurance companies,
- family-owned businesses and family offices,
- hospitals, nursing homes and other health care providers,
- universities, colleges and other educational institutions, and
- individuals.

We also serve as U.S. counsel for large Asian and European companies and investors.

INTELLECTUAL PROPERTY PRACTICE GROUP

GROUP CONTACT

GREGORY S. ROSENBLATT
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Staffed with more than twenty corporate, litigation, patent and trademark attorneys—many with scientific research backgrounds—our Intellectual Property team provides our diverse clients with comprehensive, high-quality counsel and integrated solutions in all aspects of complex patent, copyright, trademark, trade secret and proprietary technology protection, both domestically and globally.

From start-ups, nonprofits and trade associations to regional firms, large national businesses and multinational corporations, our clients depend on our extensive IP legal know-how and business experience coupled with our in-depth technical knowledge in key industries—including manufacturing, software, telecommunications, utilities, publishing, financial services, franchising, health care, biotechnology, nonprofit research and the arts. That technical knowledge extends to:

- aerospace engineering
- chemical engineering
- composites and materials science
- computer software and technology
- electrical engineering
- industrial machinery and packaging
- mechanical engineering
- metallurgy
- microprocessor design and application
- pharmaceuticals
- polymer chemistry

In addition to negotiating a wide range of transactions for our clients—including M&A, licensing, technology transfers and more—we help develop long-term IP management schemes and work to enforce your rights worldwide. Our litigators work to protect your assets before federal and state courts, administrative agencies and international tribunals.

Further, our Patent Group works closely with clients to develop strategies to identify, secure, and enforce patent rights on their innovations and discoveries, preparing and prosecuting U.S. and foreign patent applications across a broad spectrum of scientific technologies. Our Trademark and Copyright Group helps clients with trademark selection, availability, and copyright and trademark registration, protection, enforcement and defense, licensing and transfers, in the U.S. and throughout the world.

LIFE SCIENCES PRACTICE GROUP

GROUP CONTACT

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Our extensive representation of large multinational pharmaceutical companies, world-class universities and dynamic, emerging biotechnology companies has given the multidisciplinary Wiggin and Dana Life Sciences team considerable experience and key insight into the business objectives and concerns of our numerous clients in the biotechnology, pharmaceutical and medical device industries. That breadth and depth of experience means greater flexibility, responsiveness and ability to anticipate your growing needs.

For three decades we have served a diverse group of life sciences clients—from the world's largest health care companies to midsize public and private biotechnology companies to university spin-offs and individual scientist entrepreneurs—in their most vital matters, including:

- mergers and acquisitions
- collaborative research, development and licensing arrangements
- distribution, co-promotion and other product marketing agreements
- clinical trial agreements
- corporate finance
- PIPE (Private Investment in Public Equity) financings
- intellectual property matters
- litigation and dispute resolution
- real estate and facilities matters
- special issues facing scientists and universities
- health and medical industry matters
- human resource issues

LIFE SCIENCES PRACTICE GROUP

Our clients come from across the United States and around the world, including Denmark, Israel, Norway, Sweden, Switzerland and other European countries.

We have practical experience in life science industries, advanced degrees in scientific and technical fields as well as law, and our attorneys have authored numerous articles in industry-related publications and presentations before biotech-related groups. Our lawyers bring you in-depth industry-specific experience and knowledge of finance, clinical strategy, regulatory affairs, manufacturing, licensing, patents, strategic alliances and corporate structuring, mergers and acquisitions, tax, real estate and more.

Services

Wiggin and Dana regularly represents biotechnology, pharmaceutical and medical device companies on matters critical to their industry, including:

Financing - public offerings, venture capital financings and corporate partner equity investments; numerous venture capital and angel financing transactions for our international pharmaceutical and biotechnology clients, including:

- biotechnology and life sciences companies seeking venture capital, seed or angel financing
- pharmaceutical companies, venture capital funds and angels providing strategic financing
- founders
- strategic investors

Collaborative and strategic alliances - counseling clients in a broad variety of collaborative research, development, licensing and marketing arrangements in diverse medical areas, including:

- oncology
- metabolic disorders
- viral diseases
- cardiovascular disorders
- neuroscience
- immunology
- dermatology

Mergers, acquisitions and divestments of businesses; facilities and product rights; domestic and cross-border mergers, acquisitions and divestments in which we act as lead counsel

Intellectual property matters, with attorneys engaged in worldwide prosecution and litigation of patents, trade secrets, trademarks, domain names, copyrights, and other intellectual property rights. Several of our patent attorneys have practical knowledge in scientific disciplines relevant to the life sciences

Health care issues, with Wiggin and Dana attorneys having broad and leading-edge experience in areas such as bioinformatics, telemedicine, rights in medical data and research protocols, and consent issues

Human resources, with significant experience advising our biotechnology and life science clients on immigration, protection of proprietary information, safety and environmental concerns, compensation, stock options plans and other benefits

Products liability litigation and dispute resolution, assisting our clients in resolving intellectual property, contract and other commercial disputes with commercial partners, competitors and others. Our

LIFE SCIENCES PRACTICE GROUP

combined patent practice and litigation experience allows us to assist clients in the enforcement and defense of patent infringement proceedings relating to important business and technical assets
Real estate and facilities, assisting large multinational pharmaceutical companies as well as startup biotechnology companies in the leasing, acquisition, construction, financing and development of essential research and manufacturing facilities.

Clinical research and trial agreements
University licensing, sponsored research, grants and consulting arrangements, addressing such issues as the ownership of inventions, royalties, support for research and equity participation by universities. We also review and negotiate clinical trial agreements and regularly counsel clients with respect to university and research institution arrangements worldwide.



Michael J. Kasdan PARTNER

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EDUCATION

*J.D., New York University
School of Law
magna cum laude
Order of the Coif*

*B.S.E., University of Pennsylvania
magna cum laude*

ADMISSIONS

New York

COURTS

*US Court of Appeals for the
Federal Circuit*

*US District Court
(Eastern District of New York)*

*US District Court
(Southern District of New York)*

US Supreme Court

Michael is a partner in the firm's Intellectual Property Practice and is a member of the Diversity Committee. He has negotiated, defended and asserted IP rights in the numerous federal courts, the US Patent and Trademark Office, the International Trade Commission and in private arbitrations and mediations. As an advisor, he has worked with both established companies and start-ups to obtain, evaluate value, license and develop patent portfolios and trademarks.

Trained in electrical engineering and with a business background as a technology consultant, Michael works with a broad range of technologies, including consumer electronics, wireless devices, medical products and devices, computer architecture, software and networks, open source issues, semiconductor chips and Internet and e-commerce platforms.

His clients rely on him to resolve both large and small patent, trademark, and copyright cases efficiently and cost-effectively. For example:

- In a fast-moving ITC case, he spearheaded the two key claim construction issues for the joint defense group. The Administrative Law Judge took the unusual step of agreeing to stage the claim construction phase on potentially dispositive terms early in the case. The success in getting the Court to agree to an early claim construction phase drove favorable early settlements for numerous defendants.
- In a competitor semiconductor case brought as part of a global patent war involving the major electronics companies, he was instrumental in the defense of patent infringement claims and helped to obtain a jury verdict of non-infringement for his client.
- Michael was involved in the defense of a series of patent claims asserting infringement of mechanical processes, inspection processes and the materials structure of diaper and training pants products, among two competitors in the field.

Michael also counsels clients on strategic patent prosecution and portfolio development, and provides opinions and analyses on various patent issues, including patent infringement, validity and enforceability.

During 2008-2009, he was seconded to Panasonic Corporation in Japan. As in-house patent counsel in Panasonic's licensing center, he acted as lead counsel representing the company in numerous third-party patent assertions and license negotiations, where he was responsible for

Michael J. Kasdan PARTNER

developing substantive defensive positions. Michael also provided legal opinions across a broad set of technology areas and in many facets of patent law, and negotiated complex agreements, including portfolio cross-license agreements. In addition, he worked with the company's managers and engineers to identify high value patents and to strengthen their protection and mitigate exposure to infringement claims.

He frequently writes and speaks on a range of topics including IP litigation, standard essential patents, patent monetization, valuation and licensing practices, how to address IP issues for start-up and early stage companies, patent eligibility, patent exhaustion, willful infringement, patent misuse, patent valuation and inequitable conduct. Michael was interviewed on CNBC's public television *Nightly Business Report* regarding the Maps features of Snapchat and its privacy implications. His articles have been published in leading publications, including LEXIS, Practical Law Company, IP LAW 360, Bloomberg/BNA, and Managing IP Magazine. He is the sole author of Practical Law Company's *Practice Note on Patent Law* and the Lexis *Practice Advisor on Patent Licensing*. Michael was selected to author the chapter on Patent Licensing and Monetization of the *Oxford Handbook of Intellectual Property Law* (Oxford Press, 2017). Michael has also been the keynote speaker at conferences addressing topics such as diversity and mentorship.

Michael also teaches as an adjunct professor at his alma mater, NYU, as well as at New York Law School, addressing topics such as IP licensing, global patent litigation, patent exhaustion, and inequitable conduct. He has also guest lectured at the NYU Business and Law Clinic, the NYU School of Medicine, and at New York Law School and Seton Hall Law School. He clerked for the Honorable Judge Roderick R. McKelvie in the United States District Court for the District of Delaware.

Michael received his J.D. *magna cum laude*, from New York University School of Law. He was a member the NYU Law Review, the Order of The Coif, and was Fish & Neave Fellow for the Engelberg Center on Innovation Law and Policy, and served as President of the Intellectual Property and Entertainment Law Society. He is the Co-Chair of the Media Committee for the NYIPLA (NY IP Lawyers Bar Association) and also serves as a member of the Legislative Action Committee.

Michael also received a B.S.E. in Electrical Engineering, *magna cum laude*, from the University of Pennsylvania. He was a member of Eta Kappa Nu and Tau Beta Pi, Engineering Honor Societies, and a member of Penn Parliamentary Debate Team.

Outside of work, Michael serves as the Director of Communications and Development of the non-profit MyChild'sCancer. He also serves on the Board of the SouthNextFestival. He was formerly the Chairman of the Board of the non-profit CityScience, which focuses on improving STEM Education in our cities. He is also a contributor for *The Good Men Project*. He has spoken on a variety of issues on major media networks, including CNN Headline News, Al Jazeera America, NPR, and CBC Radio,

Michael J. Kasdan PARTNER and his writings have appeared in well-known publications such as *The Huffington Post*, *Salon*, *The BBC*, *The Daily Dot*, *Money* and *Redbook*.



Sapna W. Palla PARTNER

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EDUCATION

*J.D., Pace University School of Law
summa cum laude*

*B.B.A., Pace University
magna cum laude*

ADMISSIONS

New York

COURTS

*US Court of Appeals for the
Federal Circuit*

*US District Court
(Southern District of New York)*

Sapna is a partner in the firm's Intellectual Property Practice covering patent, copyright and trademark matters. In the patent area, her practice focuses on an array of technologies, including pharmaceuticals, biotechnology, drug delivery systems and medical devices, with an emphasis on Hatch-Waxman patent infringement cases. She has over 15 years of experience in patent litigation and experience in various jurisdictions including the Federal Circuit and federal courts in Delaware, District of New Jersey, Eastern District of Virginia, Eastern District of Texas, Southern District of New York, Southern District of Florida, Northern District of California and the District of Maryland.

Sapna counsels a variety of US and international clients regarding US intellectual property law by providing them with infringement, validity, enforceability and clearance opinions, and by advising them in licensing and antitrust matters, conducting intellectual property due diligence investigations in connection with acquisitions and licensing deals and preparing responses and amendments to office actions, appeal briefs, and reexamination briefs for submission to the United States Patent Office. Sapna also counsels clients about Indian patent law.

Outside the patent area, Sapna is also experienced in trademark and copyright litigation as well as in counseling clients on trademark and copyright registration, strategy and licensing.

Sapna frequently writes and speaks on a range of topics including developments in pharmaceutical, biotechnology and medical devices patent law, patent reform, biosimilars regulations, intellectual property law in Asia, and developments in e-discovery. Her programs have been presented by Practising Law Institute and WestLegal Ed and she has been published and quoted in leading publications, including *Forbes*, *Pharmaceutical Patent Analyst* and *Bloomberg/BNA*.

Sapna teaches as an adjunct professor at Pace University School of Law addressing antitrust and patent topics. She clerked for the Honorable Judge Robert J. Hurley of the United States District Court for the Eastern District of New York.

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Sapna is on the Board of Directors of the Asian American Bar Association of New York. Previously she was a Co-Chair of its Women's Committee. Sapna is also a member of the New York Intellectual Property Association and a member of its Legislative Action Committee.

Sapna received her J.D. *summa cum laude* from Pace University School of Law. She was a member of the *Pace Environmental Law Review* (Notes and Comments Editor). She received her B.B.A. *magna cum laude*, in International Management with Pre-Medical Concentration from Pace University. She authored research papers entitled *Carbohydrate Inactivation of Bacteriophages T1 and T7* (May 1993) and *Hydrogen Peroxide and Ultraviolet Inactivation of T1 and T7* (May 1994) published by the American Society of Microbiology. She received the Medal for Distinction in University Honors Program and a Medal for Outstanding Scholarship in International Management.

Sapna has lived and studied in both India and Tanzania. She is fluent in Hindi and Marathi and conversant in French.