



ANANDITA VYAKARNAM

PARTNER



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PRIMARY PRACTICES

Intellectual Property

Patents

Anandita Vyakarnam focuses her practice on intellectual property matters. She is admitted to the Patent Bar and brings two decades of experience to her practice that includes complex patent litigation, patent counseling and opinions, IP due diligence, licensing, prosecution and post-grant patent review.

Anandita has significant expertise in patent litigations concerning pharmaceutical drug products and Abbreviated New Drug Applications. She has served as trial counsel in multiple litigations and has earned successful results for clients at the claim construction, trial and appellate levels. She has represented major pharmaceutical corporations in Hatch-Waxman litigations involving drugs for treating cancer, HIV, type-2 diabetes, high cholesterol, heartburn and Alzheimer's disease, among others. Outside of the Hatch-Waxman space, she has litigated cases and advised clients in technology areas including chemical, medical devices, biotechnology, cosmetics, digital marketing technology, medical diagnostics, consumer products and mechanical devices.

In addition to her litigation practice, Anandita counsels clients on the drug approval process under the Hatch-Waxman Act including developing strategies for marketing drug products, designing around patents, and evaluating competitive patents. She has also counseled clients in evaluating intellectual property in the context of mergers and acquisitions and other corporate transactions, evaluating confidentiality, licensing, settlement and noncompetition agreements, developing domestic and international patent prosecution portfolios and post-grant patent practice before the US Patent and Trademark Office. Anandita's scientific background and experience with litigation, patent prosecution and corporate transactions enables her to help clients develop strategies that keep their business objectives at the forefront.

Anandita has a Ph.D. in biochemistry and molecular biology. She completed postdoctoral fellowship in oncology with a focus on identification of genetic alterations that drive tumorigenesis.

REPRESENTATIVE EXPERIENCE

- Counsel for Dr. Reddy's Laboratories, Inc. in Hatch-Waxman litigation involving Mucinex D[®] (Guaifenesin and Pseudoephedrine). Obtained successful trial verdict of non-infringement followed by affirmance on appeal by the Court of Appeals for the Federal Circuit. *Reckitt Benckiser LLC v. Dr. Reddy's Laboratories, Inc.* (D.N.J.).
- Counsel for Dr. Reddy's Laboratories, Inc. in litigation involving Omeprazole OTC. During trial, Plaintiffs consented to a judgment of non-infringement after effective cross examination of their key expert witness. *Dexel Pharma Technologies Ltd. v. Dr. Reddy's Laboratories, Ltd.* (D.N.J.).
- Counsel for Amneal Pharmaceuticals LLC in obtaining successful trial verdict of non-infringement in a case involving Nasonex[®]

- (Mometasone Furoate), and affirmance on appeal by the Court of Appeals for the Federal Circuit. *Merck Sharp & Dohme Corp. v. Amneal Pharmaceuticals, LLC* (D. Del.).
- Counsel for Amneal Pharmaceuticals LLC in securing a ruling, at claim construction, that the asserted claims were invalid for indefiniteness in a litigation involving Namenda[®] XR (Memantine Hydrochloride). The decision was affirmed on appeal. *Forest Laboratories, Inc. et al v. Amneal Pharmaceuticals LLC et al.* (D. Del.).
 - Counsel for Estée Lauder in a patent litigation involving polyamide-based mascara formulations. Case settled after client obtained favorable claim construction ruling. *L'Oreal SA et al. v. Estée Lauder Companies Inc. et al.* (D.N.J.).
 - Counsel for Gillette in patent litigations involving blade cartridges and shaving products including a successful Federal Circuit appeal. *Gillette Co. v. Energizer Holdings, Inc.* (D. Mass.).

BAR ADMISSIONS

- State of New York
- State of New Jersey
- United States Court of Appeals for the Federal Circuit
- United States District Courts for the District of New Jersey, Southern District of New York and Eastern District of New York
- United States Patent and Trademark Office

EDUCATION

- Columbia University School of Law, J.D., 2002
- Executive Articles Editor, Columbia Science and Technology Law Review
- Postdoctoral Fellow, Columbia Presbyterian Medical Center, College of Physicians and Surgeons, 1996-1999
- Michigan State University, Ph.D., Biochemistry, 1996
- Panjab University, M.S., with honors, Biochemistry, 1990
- Panjab University, B.S., with honors, Biochemistry, 1989

MEMBERSHIPS & AFFILIATIONS

- American Bar Association, Member
- American Intellectual Property Bar Association, Member