

## Life Sciences Group Of The Year: Gibson Dunn

By **Tiffany Hu**

*Law360 (December 10, 2020, 3:21 PM EST)* -- Gibson Dunn & Crutcher LLP's life sciences group helped Novartis beat a challenge over its multiple sclerosis drug Gilenya and advised on a number of biotech initial public offerings, landing it a spot as one of Law360's 2020 Life Science Groups of the Year.

Life sciences practice group co-chair Jane Love said the attorneys on the team include "practitioners at the highest level" who can handle both U.S. Patent and Trademark Office proceedings, as well as complex district court and appellate court issues.

The group has 119 life sciences attorneys located in offices in Brussels, Dallas, Denver, Dubai, Hong Kong, London, Munich, New York, Washington, D.C., Los Angeles, San Francisco, Orange County and Palo Alto, California.

Love said Gibson Dunn is very "fact-forward" in litigating, often first asking what facts are needed to present to a jury or judge if the case goes to trial. This approach has led to an "extensive" trial record, she said, noting that there's "always somebody who's going to trial."

The firm represented Novartis in a lawsuit alleging that HEC Pharm's planned generic infringed a patent for Novartis' Gilenya. Following a bench trial, a Delaware federal judge in August upheld the validity of the patent and found that HEC's generic version infringed it.

The judge was unconvinced by HEC's argument that its product would not infringe the patent because it didn't tell physicians to omit a "loading dose" before administering the drug.

"The label for [HEC's] generic version of Gilenya instructs physicians to perform each limitation in the asserted claims of the patent," the judge said at the time. "The patent describes alternative dosing regimens, like 'intermittent dosing,' but does not describe loading doses."

Ryan Murr, who also co-chairs the life sciences group, said that the transactional side has been "extraordinarily busy" over the past year with a number of IPOs, including for Texas-based Shattuck Labs Inc., which develops dual-sided fusion protein technology for cancer treatments.



Gibson Dunn further advised San Diego-based biotech firm Progenity Inc. in its IPO, raising about \$100 million in gross proceeds. The firm also represented SF-based biopharma company 89bio Inc., which develops treatments for metabolic ailments, in its IPO.

Love said that many of their clients have faced challenges and uncertainties due to the COVID-19 pandemic, resulting in new legal questions that might not have come up otherwise.

Some of those questions concerned their clients' ability to remain open after the shelter-in-place orders, as well as the applicability of Coronavirus Aid, Relief, and Economic Security Act provisions to their businesses. Beyond that, the firm has also advised on transactions relating to COVID-19 therapies and medicines, Murr said.

In spite of the challenges, Murr said, the team has been able to adapt its approach to provide the best work for their clients, noting that this year has actually been the "busiest year [he's] had in two decades," with no signs of things slowing down.

"It's been a very busy year, and some of that has been directly attributed to COVID, and some of that has been by virtue of the life sciences sector having a lot of capital flowing into it," he said.

"I think we have pulled together in ways that wouldn't have been possible without the pandemic," Love noted. "We have access to each other like we didn't have in the past, which allows us to build the collective knowledge and experience that is such a drive that gets things done, even more so now."

--Additional reporting by Mike LaSusa. Editing by Gemma Horowitz.