

Rising Star: Gibson Dunn's Timothy Best

Law360, New York (August 9, 2017, 4:01 PM EDT) – Gibson, Dunn & Crutcher LLP's Timothy Best has deployed scientific savvy to guide major drugmakers through high-stakes patent cases, including a trial that preserved billions of dollars for Depomed Inc. and possibly saved the company, placing him among five life sciences lawyers under age 40 honored by Law360 as Rising Stars.

WHY HE BECAME A LIFE SCIENCES ATTORNEY:

Even before college, Best was eyeing a career that melded science and advocacy. He mulled going into academics but was turned off by the idea of having to specialize in an exceptionally narrow field of science. Patent litigation offered professional challenges and much more variety.

"Even if you've done another case in that general area, the invention date will be different, the specific diseases that are involved will be different," Best said. "And each of those present you with reconstructing a natural history of that particular invention that is different and challenging."

WHAT MOTIVATES HIM:

The intellectual challenge is crucial for Best, who thrives on delving into research and devising compelling ways to litigate the often-arcane subject matter.

"With each case, you're almost a scientific historian, because you have to reconstruct the history of where the science was at the point of the invention. You then couple that with the need to be persuasive about it — it's not natural subject matter for persuasion and advocacy, and it requires deep thinking about how to present ideas in ways that are interesting."

RISING
★ ★ ★ ★ ★
STAR



Timothy Best
Gibson Dunn

Age: 39

Home base: Los Angeles

Position: Partner

Law school: University of California, Berkeley School of Law

First job after law school: Associate at [Sidley Austin LLP](#)

THE BIGGEST CASE OF HIS CAREER:

Best represents Merck KGaA unit EMD Serono Inc. in a case brought by Biogen, which is seeking \$10 billion in damages from Serono and other companies for allegedly infringing a patent for multiple sclerosis treatment Avonex.

"It is a tremendously intricate case, a broad and deep case, in that it spans decades worth of research. In terms of patent law, virtually every concept is in play in this case. And then synthesizing that complex body of work into something that can be made persuasive."

PROUDEST MOMENT AS AN ATTORNEY:

It came while helping Depomed beat back competition for the company's flagship product, the painkiller Nucynta.

"Personally, I was probably most proud of my cross-examination of their principal expert," Best said. "Those were probably the most fun two hours that I've ever experienced as a lawyer. Basically taking his arguments and showing bit by bit how they could not be correct. If you accepted his premises, they led to conclusions that were not his conclusions."

ADVICE FOR YOUNG ATTORNEYS:

"Always be looking for opportunities," Best said. "Sometimes when opportunities arise, it's not apparent that they're opportunities. People view them more as risks and challenges, but it's only through risk and challenge that anyone can grow, so having an amount of fearlessness about you is, I think, tremendously important."

— *As told to Jeff Overley*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2017 Rising Stars winners after reviewing more than 1,200 submissions. This interview has been edited and condensed.

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