



Madelyn McCormick

Principal
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Overview

Patent litigator Madelyn McCormick represents leading pharmaceutical, biomedical, medical device, and life sciences companies, as well as new and emerging entities. An integral member of Fish & Richardson's life sciences litigation practice, she asserts and defends patent and trade secret claims and technology-related disputes in both federal courts and arbitration forums.

Madelyn focuses her practice on representing clients in pharmaceutical and biosimilar pre-suit exchanges and litigation, in addition to resolving biomedical patent and technology dispute cases. She excels in case evaluation, witness preparation, and formulating a strategy to drive her clients' success. Madelyn also has significant experience working on JAMS matters.

Clients and team members appreciate Madelyn's big-picture perspective. When analyzing a case, she looks beyond the immediate problem, uncovers risks, and offers solutions. Madelyn works within case teams to anticipate generic challenges to clients' name brand products and plan litigation strategies to maximize the value of her clients' patents.

Before entering the legal profession, Madelyn earned a degree in biomedical engineering and worked as a lab assistant, technical consultant, and researcher in industry and academia. Madelyn thrives on analytical, critical thinking; she applies her background in the life sciences to cultivate a deep understanding of her clients' innovations and readily translate complex concepts into clear and compelling arguments for the court.

Outside of her work for clients, Madelyn enjoys making a difference by serving as a mentor to newer lawyers and representing underserved members of society in a local constitutional law case.

Madelyn joined Fish & Richardson as a summer associate while attending Suffolk University Law School, where she served as law review articles editor and graduated *summa cum laude*. She is a former judicial intern to the Honorable Marianne B. Bowler, Magistrate Judge of the U.S. District Court for the District of Massachusetts. Before attending law school, Madelyn earned a B.S. in biomedical engineering at the University of California, Irvine.

When not at work, Madelyn enjoys hiking and traveling with her family. She is also an avid reader.

Experience

Gilead Sciences Inc. v. Apotex, et al., Case 1:20-cv-00189-MN (D. Del.): Represented Gilead in pending Hatch-Waxman litigation against multiple generic companies concerning abbreviated new drug applications for Gilead's HIV treatments ODEFSEY®, DESCOVY®, and VEMLIDY®. Gilead won on all claim construction terms at Markman, and the case settled favorably the morning of trial.

AbbVie Inc. et al. v. Alvotect HF, Case 1:21-cv-02258 and Case 1:21-cv-01530 (N.D. Ill.): Representing Alvotect in biosimilar patent litigation and trade secret disputes concerning Alvotect's biologic license application for biosimilar to Humira®. In March 2022, the parties reached global resolution through a settlement under which Abbvie will grant Alvotect a license to its Humira patents and the nonexclusive right to market a Humira biosimilar starting on July 1, 2023.

Sumitomo Dainippon Pharma Co., Ltd. and Sunovion Pharmaceuticals Inc. v. Emcure Pharmaceuticals Ltd. et al., Case 2:18-cv-02065-SRC-CLW (D.N.J.): Representing plaintiff in Hatch-Waxman litigation against multiple generic companies concerning abbreviated new drug applications for Sunovion's antipsychotic medication Latuda®; settled before trial.

Professional associations

ChIPs

Pro bono activities

Bloom et al. v. City of San Diego, Case 3:17-cv-02324-AJB-DEB (S.D. Cal.)

Helping represent underserved members of society in a local constitutional law case.

Insights

Blog | March 18, 2025

Federal Circuit: PTE for Reissue Patents Should Be Calculated From Original Patent's Issue Date

Blog | February 24, 2025

Biologics and Biosimilars Landscape 2024: IP, Policy, and Market Developments

Blog | January 8, 2025

Hatch-Waxman 201

Webinar | September 12, 2024

Hatch-Waxman 201

Blog | April 5, 2024

Biologics and Biosimilars Landscape 2023: IP, Policy, and Market Developments

Article | February 5, 2024

Hatch-Waxman 2023 Year in Review

Blog | December 18, 2023

The Federal Circuit Weighs in On Hatch-Waxman "Skinny" Label Infringement Dispute

Blog | October 11, 2022

Federal Circuit Affirms PTAB's Final Written Decision that Merck's Claimed Inventions Were Not "At Once Envisaged" From the Prior Art

Article | May 22, 2020

How Pandemic-Related Delays Affect Hatch-Waxman Litigants

IP Law Essentials | April 22, 2020

Patent Local Rules: Knowing Them Well Can Make Litigating Your Case Smoother

News

News | January 6, 2025

Celebrating Excellence: Fish & Richardson Elevates 18 New Principals

Media Coverage | October 14, 2024

Justice for San Diego's Unhoused: Landmark Settlement Secured by Fish Pro Bono Team

KPBS/Daily Journal/NBC 7/San Diego Community Newspaper

News | October 11, 2024

Fish & Richardson and Partners Secure Landmark Settlement in Class Action Lawsuit Advocating for Unhoused Individuals in San Diego

Media Coverage | May 29, 2024

Associate Madelyn McCormick Unveils Strategies for Pro Bono-Billable Hour Harmony

Law360 Pulse

News | May 23, 2023

Twenty-Three People From Fish & Richardson Honored by California Lawyers Association With Wiley W. Manuel Certificate for Pro Bono Legal Services

Services

Litigation

Patent Litigation

Trade Secret Litigation

Strategic Patent Counseling & Opinions

IP Licensing, Transactions & Agreements

Industries

Life Sciences

Biotech & Diagnostics

Medical Devices

Pharmaceuticals

Academic Research & Medical Centers

Admissions

California (2018)

U.S. District Court for the Northern District of California (2018)

U.S. District Court for the Southern District of California (2018)

U.S. District Court for the Central District of California (2018)

Education

J.D. *summa cum laude*, Suffolk University Law School (2017) Articles Editor, *Suffolk University Law Review*

B.S., Biomedical Engineering, University of California, Irvine (2007)