

winning litigators

FISH & RICHARDSON

JONATHAN SINGER AND CHAD SHEAR

■ **TELL US ABOUT YOUR BIGGEST TRIAL WIN FROM JANUARY 2017 TO JULY 2018 AND HOW YOU ACHIEVED THE RESULT FOR YOUR CLIENT.**

Fish won [judgment as a matter of law] in *Idenix Pharmaceuticals v. Gilead Sciences* in February 2018, wiping out a \$2.5 billion willful infringement jury verdict against our client Gilead.

We erased the largest patent damages award in history after proving that Idenix's patent was invalid due to lack of enablement. The judge's ruling called our enablement evidence "devastating" to Idenix.

The case involved Gilead's drugs Sovaldi and Harvoni, which cure hepatitis C. Our winning strategy focused on: [diving deep] into the trial evidence and law, focusing on and articulating a robust enablement argument and intense oral argument preparation.

■ **SHARE TWO TRIAL TIPS THAT HAVE BEEN KEY TO YOUR SUCCESS.**

1) Don't get so swept up in the emotion of a jury trial that you neglect the legal merits of your case. Ultimately, the judge will have her say.

2) The more complicated the legal issue, the simpler your presentation needs to be. Too many defenses in front of a jury is just that—too many. ■



Jonathan Singer



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