

Daily Journal

APRIL 9, 2014

TOP INTELLECTUAL PROPERTY ATTORNEYS OF 2014

The most fascinating, and challenging, aspect of naming the intellectual property attorneys in California is the extraordinary variety of their achievements. While they share the same practice area, the lawyers — chosen from hundreds of nominations, along with a few staff selections — range from patent specialists who try cases before the U.S. International Trade Commission to Internet experts who fight the creators of malicious software “botnets.”

To qualify for the list, an attorney must be

based in California, even if much of his or her work is done elsewhere, whether it's the ITC in Washington, D.C., the patent office in Virginia, or district courts in Delaware, Texas and other states. Their focus must be intellectual property, as opposed to general litigators who often handle such work.

The patent prosecutors and portfolio managers chosen for this year's list represent a wide variety of companies, from medical device and technology companies dealing with the new rules of the U.S.

Patent and Trademark Office to copyright attorneys handling high-profile Hollywood clients.

The attorneys chosen for the list have helped to advance technological innovation and change the law during the past year, handling work critical to the future of the entertainment, medical and technology industries.

It's an increasingly difficult group to choose, but the impressive and diverse array of talent from across California is testimony to the state's leadership in intellectual property law.

—The Editors

TOP PORTFOLIO MANAGERS/PATENT PROSECUTORS OF INTELLECTUAL PROPERTY

VERN A. NORVIEL

FIRM:

WILSON SONSINI GOODRICH & ROSATI PC

CITY

SAN FRANCISCO

SPECIALTY

PATENT

Last year was filled with some rare happenings for Norviel, he said.

On June 13, the U.S. Supreme Court concluded that isolated fragments of genomic DNA are naturally occurring and therefore not patent eligible, while complementary DNA is not a product of nature and therefore is patent eligible.

The arguments adopted by the court, Norviel said, mirrored an amicus brief filed by him and Wilson Sonsini partner Gideon Schor on behalf of Eric Lander, a leading genomics researcher and the president of the Broad Institute of Harvard and MIT.

While the brief wasn't cited in the written opinion, the court did discuss the brief during oral arguments, Norviel said.

“I would have never dreamed they would discuss our brief,” he said. “For

an IP guy, that's extremely unusual.”

The esoteric subject matter involved the isolation of genes. “My role was to help explain why that was known a long time ago. It's not that complicated. It's a law of nature. A big one.”

As for the decision's implications for drugmakers, Norviel said, “They need to make certain that their patents are done right, and that they're not covering natural products.”

Investors, he added, “have to be careful and not buy into a bad one.”

Norviel said another rarity last year happened when two of his clients got their drug approved by the U.S. Food and Drug Administration within one month.

They are Charleston Laboratories Inc., which focuses on pain products, and Ceptaris Therapeutics Inc., which is developing a product for the early treatment of some forms of cancer.



Overall, Norviel said, “There is enthusiasm and vigor in the industry and that has changed dramatically from last year. Money is more available now and the stock market has opened up. Private investors are more enthused.”

— Pat Broderick