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Intellectual Property 2013

One of the striking things about picking the list of top intellectual property attorneys, aside from the difficulty of choosing among hundreds of highly qualified nominees, is the diversity of their achievements. The litigators chosen travel the country to do battle for their clients.

While these attorneys' work has stretched worldwide, some of the biggest cases of the past year took place in California. To qualify for the list, an attorney must be based in California even if much of his or her work is done elsewhere, such as the U.S. International Trade Commission in Washington, D.C., the U.S. Patent and Trademark Office in Virginia, and district courts in Texas, Delaware, Illinois and elsewhere. And their focus must be on intellectual property, as opposed to general litigators who sometimes handle such work.

Top 25 Portfolio Managers/ Patent Prosecutors

Vern Norviel

Wilson Sonsini Goodrich & Rosati PC | Palo Alto
Patent



Norviel spends a lot of his time helping young scientists or university professors launch their life science companies.

"Some of them have left the academic lab and want to translate what they've developed from the bench to the clinic," he said.

For early-stage companies, Norviel added, "Intellectual property is often the most important value driver."

Among his significant matters, Norviel provided patent counsel to Brigham Young University in connection with the school's settlement of a long-running, multibillion-dollar lawsuit with pharmaceutical giant Pfizer Inc. involving the drug Celebrex.

He represented Ion Torrent Systems, since acquired by Life Technologies, in patent matters related to next-generation DNA sequencing that Norviel said is thought to have revolutionized the science.

He also guided Tokai Pharmaceuticals in patent matters related to prostate cancer treatments and aided Pacific Biosciences, which develops single-molecule technology for biological analysis, in patent matters related to its \$200 million initial public offering.

Meanwhile, the patent landscape has been shifting, Norviel

said, noting in particular that the U.S. Supreme Court has become more active about weighing in on patent cases.

He noted a ruling last year that broadened the definition of what constitutes a law of nature. *Mayo Collaborative Services v. Prometheus Laboratories Inc.*, 132 S.Ct. 1289 (2012).

The decision is expected to make it harder for diagnostic companies to obtain patents in some cases.

"As a result, the Supreme Court is cutting back on IP, and the diagnostic segment of the business has to be more creative," Norviel said. "It's more difficult to navigate through the minefield. You have to know the law and make sure the patents are designed along those lines."

On the funding front, he said, "The venture capital environment is not wonderful in life science. It's more difficult for life science to raise money now. We lost a lot of big-name venture firms."

But, Norviel said, that might be changing.

"There are new players in the industry, so it seems to be on the upturn."

— Pat Broderick

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