



## Christopher L. McArdle

Partner

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### *Related Services*

Intellectual Property ■ Intellectual Property Litigation ■ Patent Litigation ■ Biotechnology, Pharmaceutical & Life Sciences Patent Litigation ■ Patent Prosecution, Counseling & Review ■ Trademark & Copyright ■ Trade Secrets ■ Gray Market & Counterfeit Goods ■ Contingent Risk Insurance

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Chris McArdle is the hiring partner for the New York office. He focuses his practice on intellectual property litigation and licensing with a particular emphasis on high-stakes patent and Lanham Act litigation and appellate advocacy. Chris represents clients in infringement lawsuits and appeals in federal courts across the United States and has extensive trial experience in cases involving medical devices, pharmaceuticals, and software. He has also secured key client victories in post-grant proceedings before the Patent Trial and Appeal Board.

Chris routinely helps clients monetize their global patent portfolios and counsels them on patent infringement and validity issues. Chris holds a degree in chemistry and lectures at Columbia Business School on intellectual property topics.

### *Representative Experience*

- Represented Rockwell Automation in a Lanham Act and unfair competition action against a gray market reseller; prevailed at a jury trial resulting in a multimillion-dollar damages verdict for Rockwell. *Rockwell Automation, Inc. v. Parcop S.R.L.*, No. 21-cv-1238 (D. Del.).
- Led a trial team in successfully defending a medical device manufacturer in litigation concerning a patent license agreement related to vascular grafts. *C.R. Bard Incorporated v. Atrium Medical Corporation*, No. 2:21-cv-00284 (D. Ariz.).
- Representing Rise Brewing Company in its trademark infringement case against PepsiCo concerning PepsiCo's MTN DEW RISE caffeinated beverage. *RiseandShine Corp. v. Pepsico Inc.*, No. 21-cv-6324 (S.D.N.Y.).
- Representing a global medical technology leader in multibillion-dollar patent infringement litigations related to intravascular blood pumps. *Abiomed Inc. v. Maquet Cardiovascular LLC*, No. 16-cv-10914 (D. Mass.); *Maquet Cardiovascular LLC v. Abiomed Inc.*, No. 17-cv-12311 (D. Mass.).
- Represented a major medical device developer in inter partes reviews related to implantable access ports. *Atrium Medical Corporation v. Bard Peripheral Vascular, Inc.*, Nos. IPR2021-01197, -1199, -1200 (PTAB).
- Led a trial team successfully defending a global health care leader in Hatch–Waxman patent infringement litigation and inter partes review proceedings related to DPP-IV inhibitors and metformin for the treatment of Type II diabetes. *Boehringer Ingelheim Pharmaceuticals Inc. v. HEC Pharm Co. Ltd.*, No. 15-cv-05982 (D.N.J.); *Mylan Pharmaceuticals Inc. v. Boehringer Ingelheim Pharmaceuticals Inc.*, Nos. IPR2016-1563, -1564, -1565, -1566 (PTAB).

- Represented an electrical technology manufacturer in multiple Federal Circuit appeals and patent office proceedings involving patents related to cable used in the transmission of electricity. *Southwire Co. v. Cerro Wire LLC*, Nos. 16-2287, 15-1117, 15-1118 (Fed. Cir.); *Encore Wire Co. v. Southwire Co.*, Nos. 15-1249, -1250 (Fed. Cir.); *Cerro Wire Inc. v. Southwire Co.*, No. 2016-6893 (PTAB).
- Represented a major generic pharmaceutical company in an inter partes review proceeding relating to the drug ibrutinib (Imbruvica®). No. IPR2019-865 (PTAB).
- Represented one of the world's largest hearing aid manufacturers in a trade secret misappropriation and unfair competition action; prevailed on a motion for summary judgment and obtained a judgment dismissing the action in full. *Manchester v. Sivantos GmbH*, No. 2:17-cv-05309 (C.D. Cal.).
- Represented a leading fashion brand in patent infringement litigation related to push-up bra technologies. *MFB International Holdings À R.L. v. AdoreMe Inc.*, No. 17-cv-00596 (D. Del.).
- Represented a leading pharmaceutical manufacturer in Hatch–Waxman patent infringement litigations and appeal related to the use of the drug dronedarone in treating atrial fibrillation. *Sanofi, et al. v. Lupin Atlantis Holdings SA*, 15-cv-00415 (D. Del.); *Sanofi, et al. v. Glenmark Pharmaceuticals Inc. USA*, No. 14-cv-00264 (D. Del.); *Sanofi v. Watson Laboratories Inc.*, Nos. 2016-2722, -2726 (Fed. Cir.).
- Represented one of the world's largest electronics manufacturers in patent infringement litigation related to Wi-Fi and video standards. *Avago Technologies General IP (Singapore) Pte. Ltd. v. ASUSTeK Computer Inc.*, No. 15-cv-04525 (N.D. Cal.).
- Represented a global leader in analytics software in a copyright and breach of contract dispute. *Fair Isaac Corporation v. Software AG*, No. 14-cv-07248 (S.D.N.Y.).
- Represented a major generic pharmaceutical company in patent infringement litigation relating to immune response modifier formulations. *Medicis Pharmaceutical Corp., et al. v. Actavis*, No. 12-cv-01091 (D. Del.).
- Represented a global health care leader in Hatch–Waxman patent infringement litigation related to orally dissolving clozapine tablets. *Cima Labs Inc. v. Mylan Pharmaceuticals Inc.*, No. 10-cv-00625 (D. Del.).
- Represented a global financial services company in patent infringement litigations relating to financial trading software. *Trading Technologies International Inc. v. GL Consultants Inc., et al.*, No. 05-cv-04120 (N.D. Ill.); *Trading Technologies International Inc. v. SunGard Data Systems Inc., et al.*, No. 10-cv-00715 (N.D. Ill.).
- Represented a software developer in patent infringement litigation related to the recording, search, and playback of electronic communications. *Verint Systems Inc., et al. v. Red Box Recorders LTD.*, No. 14-cv-05403 (S.D.N.Y.).
- Represented a software developer in patent infringement litigation related to peer-to-peer advertising systems. *Blue Calypso Inc. v. Izea Inc.*, No. 12-cv-00786 (E.D. Tex.).
- Represented a software developer in patent infringement litigation relating to résumé and career services software. *eDirect Publishing Inc. v. LiveCareer Ltd., et al.*, No. 12-cv-01123 (S.D. Cal.).
- Represented a leading blood pump manufacturer in patent infringement litigation relating to fluid delivery nozzles. *Rydex Technologies LLC v. Haemonetics Corp.*, No. 13-cv-00667 (D. Del.).
- Represented a major medical device company in patent infringement litigation relating to contrast injectors for medical imaging. *Tyco Healthcare Group LP, et al. v. E-Z-EM Inc.*, No. 07-cv-00262 (E.D. Tex.).

## Education

- Tulane University (J.D., 2009)

- Washington University in St. Louis (B.A., 2005)

*Admitted to Practice*

- New York