



Martin B. Pavane

Vice Chair, Intellectual Property Department
Co-Chair, Hatch-Waxman & Biologics Litigation

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Practice Areas

- Intellectual Property
- Intellectual Property Litigation
- Patents
- Trademark & Copyright

Education

- New York Law School, J.D., *cum laude*, 1975
- Cooper Union, B.S.E.E., 1972

Bar Admissions

- New York
- United States Patent and Trademark Office

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Federal Claims
- U.S. District Court -- Eastern District of New York
- U.S. District Court -- Southern District of New York
- U.S. District Court -- Western District of Wisconsin
- U.S. District Court -- Colorado
- U.S. District Court -- Eastern District of Texas

Affiliations

- American Intellectual Property Law Association
- Federal Circuit Bar Association
- International Intellectual Property Society
- New York Intellectual Property Law Association
- New York State Bar Association

Martin B. Pavane is a litigator and registered patent attorney with more than 30 years of experience litigating intellectual property cases. He has been lead trial counsel in many patent, trademark and copyright cases throughout the United States, including many jury trials. At Cozen O'Connor, Martin currently holds the titles of vice chair of the Intellectual Property practice group and vice chair of the ANDA and Biologics practice group, and he is also on the Board of Directors of the firm. He has been named a New York Super Lawyer in intellectual property litigation since the inception of that designation.

During the early part of his career, Martin practiced extensively before the U.S. Patent and Trademark Office, where he prosecuted patent applications and handled appeals before the Board of Patent Appeals and Interferences. From 1981 to 1996, Martin was an associate adjunct professor of law at New York Law School, where he taught both patent and trademark law. He has also lectured at the Generic Pharmaceutical Association's Industry Legal Symposiums, at the Generic Drug Summit and the Patent Protection and Life Cycle Management program, both of which were sponsored by the Institute for International Research, and at Paragraph IV Disputes conferences sponsored by the American Conference Institute. Martin has also authored or co-authored numerous articles in the area of intellectual property law.

Martin's cases have encompassed a wide variety of industries, including electronics, printing, pharmaceuticals, optics, automotive and industrial machinery. Martin has also argued extensively before the federal courts of appeal. His notable reported decisions include:

- *Cumberland Pharmaceuticals Inc. v. Sagent Agila LLC and Sagent Pharmaceuticals, Inc.*, 2013 U.S. Dist. LEXIS 156834 (D. Del. 2013)
- *King Pharms., Inc. v. Eon Labs, Inc.*, 427 Fed. Appx. 896 (Fed Cir. 2011);
- *King Pharms., Inc. v. Eon Labs., Inc.*, 616 F.3d 1267 (Fed. Cir. 2010);
- *Pharm. Res., Inc. and Par Pharm., Inc. v. Roxane Labs., Inc.*, 253 Fed. Appx. 26 (Fed. Cir. 2007);
- *Novartis Pharmaceuticals Corp. v. Eon Labs Manufacturing, Inc.*, 363 F.3d 1306 (Fed. Cir. 2004);
- *Well-Made Toy Mfg. Corp. v. Goffa International Corp.*, 354 F.3d 112 (2d Cir. 2003);
- *Nadel v. Isaksson*, 321 F.3d 266 (2d Cir. 2003);
- *Elite Licensing, Inc. v. Thomas Plastics, Inc.*, 250 F.Supp.2d 372 (S.D.N.Y. 2003);
- *Bristol-Myers Squibb Company v. Ben Venue Laboratories, Inc.*, 246 F.3d 1368 (Fed. Cir. 2001);
- *Nadel v. Play-By-Play Toys & Novelties, Inc.*, 208 F.3d 368 (2d Cir. 2000);
- *Thermalloy, Inc. v. Aavid Engineering, Inc.*, 121 F.3d 691 (Fed. Cir. 1997);
- *In Time Prods. v. Toy Biz*, 38 F.3d 660 (2d. Cir. 1994);
- *Wallace International Silversmiths, Inc. v. Godinger Silver Art Co., Inc.*, 916 F.2d 76 (2d Cir. 1990).

In addition to his litigation practice, Martin counsels clients concerning the protection of their intellectual property rights and the avoidance of third-party rights.

Martin is a member of the American Bar Association, the New York Bar Association, Federal Circuit Bar Association, the New York Intellectual Property Law Association and the Institute for Intellectual

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Property.

Martin is admitted to the bar of the state of New York, and is admitted to practice before the U.S. Supreme Court; the U.S. Courts of Appeals for the Federal Circuit, Second Circuit, Fourth Circuit and Ninth Circuit; the U.S. Court of Federal Claims; the U.S. District Courts for the Eastern and Southern Districts of New York, the Western District of Wisconsin, the District of Colorado, and the Eastern District of Texas; and the U.S. Patent and Trademark Office.

Martin received a bachelor's degree in electrical engineering from Cooper Union in 1972, where he was on the Dean's List, and a law degree from New York Law School in 1975 where he was on the law review and graduated *cum laude*.

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