



Barry P. Golob

Co-Chair, Intellectual Property Litigation

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Barry focuses his practice on complex patent litigation. He is an experienced first-chair trial attorney with extensive federal jury and bench trial experience, having tried numerous intellectual property cases to verdict. Although Barry has represented clients at all levels of litigation in various fields of technology, including computer software, medical devices, office furniture, the Internet, insurance, manufacturing, LEDs and telecommunications, he focuses on consumer electronics and Hatch-Waxman litigation.

In addition to handling complex jury and bench trials nationwide, Barry has participated in all aspects of alternative dispute resolution, including arbitrations and mediations. In this regard, he has also developed innovative approaches and strategies to resolve significant disputes to avoid costly litigation.

Barry has led trial teams in more than 90 cases, many settling on favorable terms prior to trial. Barry has extensive experience litigating consumer electronic cases over cell phones, display modules containing pixel assemblies, point of sale machines, semi-conductor manufacturing, mobile security solutions for portable electronic traffic message boards, VOIP technology, and fiber optics. Barry also has litigated highly specialized Hatch-Waxman statutory patent infringement actions involving prescription pharmaceutical drugs.

A member of the American Intellectual Property Lawyers Association and the American Bar Association, Barry regularly speaks around the country on various judges' panels on mediation and settlement techniques, as well as best practices for successful trials.

Barry graduated from the University of Miami with a Bachelor of Science in chemistry and earned his law degree from Washington College of Law of the American University.

Experience

Represented Apotex Inc. and Apotex Corp. in a patent infringement action regarding Apotex's biosimilar applications to make biosimilar versions of Amgen's NEULASTA® and NEUPOGEN® products. We navigated Apotex through the Biologics Price Competition and Innovation Act's "patent dance," and in the first BPCIA case to go to trial, we obtained a verdict of noninfringement. This result was affirmed on appeal to the U.S. Court of Appeals for the Federal Circuit.

Represented Endo Pharmaceuticals Inc. and Strakan International S.à r.l. against Watson Labs' attempt to make a generic version of Endo's FORTESTA® product. Following a bench trial, the judge ruled in our clients' favor on all contested issues and rejected the defendant's claims of non-infringement, invalidity, and unenforceability. Successfully argued on appeal with the Federal Circuit affirming the trial court decision.

Represented Apotex Inc. in a patent infringement action regarding Apotex's ANDA to make a generic version of AVODART® (dutasteride). Settled prior to trial.

Represented Signalization Ver-Mac in declaratory judgment patent infringement relating to smart work zones on highways. Settled the case on terms the client found favorable after summary judgment

Practice Areas

- Biologics/Biosimilars
- Hatch-Waxman Litigation
- Intellectual Property
- Intellectual Property Litigation

Education

- American University, Washington College of Law, J.D., 1991
- University of Miami, B.S., 1983

Bar Admissions

- District of Columbia
- Pennsylvania

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Federal Claims
- U.S. District Court -- District of Columbia

Affiliations

- American Bar Association
- American Intellectual Property Law Association
- Federal Circuit Bar Association
- Generic Pharmaceutical Association

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motions were filed.

Represented Vonage Holdings in a jury trial of a patent infringement action relating to Voice Over Internet Protocol (VoIP). Settled the case on terms the client found favorable following trial.

Represented NuVox in patent infringement action relating to Voice Over Internet Protocol (VoIP). Settled the case on terms the client found favorable following substantial discovery.

Represented Chi Mei Optoelectronics in patent infringement action relating to modules for monitor and television displays.

Represented Fame Jeans Inc. in a trademark matter stemming from a TTAB action relating to mark for clothing. After heated discovery, prevailed on motion to dismiss one count from complaint. Subsequently negotiated multimillion-dollar settlement for Fame Jeans relating to mark.

Represented Chi Mei Optoelectronics in a jury trial against a plaintiff who had received 42 licenses totaling \$180-plus million in license royalties. Non-infringement found on one of three patents, reducing potential \$900 million damages award to \$10 million.

Represented Signalization Ver-Mac in declaratory judgment patent infringement action relating to solar tilt and rotate features of roadside message boards. Settled the case on terms the client found favorable after discovery.

Patent infringement action representing defendant Chi Mei Optoelectronics (CMO) relating to modules for monitor and television displays. Received summary judgment of non-infringement in favor of CMO.

Represented defendant Wal-Mart Inc. on appeal to the Federal Circuit. Settled the case on terms the client found favorable just prior to oral argument.

Lead counsel for Sandoz Inc. in a patent infringement action regarding Sandoz's ANDA to make a generic version of Allergan's glaucoma drops COMBIGAN® (brimonidine tartrate/timolol maleate.)

Lead counsel for Sandoz Inc. in a patent infringement action regarding Sandoz's ANDA to make a generic version of Abbott's cholesterol medication TRILIPIX® (fenofibric acid).

Lead counsel for Sandoz Inc. in a patent infringement action regarding Sandoz's ANDA to make a generic version of Medicis' acne product SOLODYN® (minocycline hydrochloride).

Lead counsel for Sandoz Inc. in a patent infringement action regarding Sandoz's ANDA to make a generic version of Merck's anti-nausea product EMEND® (aprepitant).

Lead counsel for Sandoz Inc. in a patent infringement action regarding Sandoz's ANDA to make a generic version of Shire's ADHD product INTUNIV® (guanfacine hydrochloride).

Lead counsel for Sandoz Inc. in a patent infringement action regarding Sandoz's ANDA to make a generic version of Abbott's ZEMPLAR® (paricalcitol).

Lead counsel for Sandoz Inc. in a patent infringement action regarding Sandoz's ANDA to make a generic version of Roche's VALCYTE® (valganciclovir hydrochloride).

Lead counsel for Chimei InnoLux Corporation, f/k/a InnoLux Display Corporation, in a patent infringement case involving Honeywell's patent to brightness-enhancing films used in LCD devices. Plaintiff dismissed its case against our client, with prejudice, after the special master indicated he would recommend granting our motion for summary judgment of noninfringement.

Represented Actavis in a patent infringement action concerning Actavis's ANDA to make a generic

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version of King's pain product AVINZA® (Morphine Sulfate) oral capsule products. Case settled prior to trial.

Represented Mylan Pharmaceuticals, Inc. in a patent infringement action concerning Mylan's ANDA to make a generic version of Pfizer's CADUJET® (Atorvastatin Calcium and Amlodipine Besylate) oral tablet products. Case settled prior to trial.

Trial counsel for Apotex Inc. and Apotex Corp. in a patent infringement action regarding Apotex's ANDA to make a generic version of LYSTEDA® (tranexamic acid). After a two week trial, received a favorable decision of non-infringement on all three patents in-suit. Successfully argued on appeal with the Federal Circuit affirming the trial court decision.

Represented Apotex Inc. in a patent infringement action regarding Apotex's ANDA to make a generic version of ACULAR LS® (0.4% ketorolac tromethamine). Led the negotiations that resulted in a successful settlement of the matter after the close of expert discovery.

Represented Apotex Inc. and Apotex Corp. in a patent infringement action concerning Apotex's ANDA to make a generic version of Pfizer's PRISTIQ® (Desvenlafaxine) extended-release oral tablet products. Case settled prior to trial.

Represented Sandoz Inc. in patent infringement action concerning Sandoz's ANDA to make a generic version of Helsinn's anti-nausea product Helsinn's ALOXI® (Palonosetron Hydrochloride) injection product. Case settled prior to trial.

Represented Innopharma, Inc. and Amneal Pharmaceuticals, Inc. in patent infringement actions concerning our clients' ANDAs to make generic versions of Spectrum's FUSILEV® (Levoleucovorin) Injection product.

Represented Sandoz Inc. in a patent infringement action concerning Sandoz's ANDA to make a generic version of Abbott's NIASPAN® (Niacin) controlled-release tablets. Case settled prior to trial.

Represented Sandoz Inc. in a patent infringement action regarding Sandoz's ANDA to make a generic version of Alcon's eye allergy product PATANOL® (olopatadine hydrochloride). Case settled.

Represented Apotex Inc. and Apotex Corp. in a patent infringement action concerning Apotex's ANDA to make a generic version of SPRIX® (Ketorolac Tromethamine) nasal solution. Case settled prior to trial.

Represented Apotex Inc. and Apotex Corp. in a patent infringement action concerning Apotex's ANDA to make a generic version of AstraZeneca's ONGLYZA® (Saxagliptin) oral tablet product. Case settled prior to trial.

Represented Kyowa Kirin, Inc. and Strakan International S.A. against Actavis Labs' attempt to make a generic version of Kyowa Kirin's SANCUSO® (granisetron) transdermal patch product. Following a bench trial, the judge ruled in our clients' favor on all contested issues and rejected the defendant's claims of non-infringement, invalidity, and unenforceability. Successfully argued on appeal with the Federal Circuit affirming the trial court decision without opinion.

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