



**Jeffrey Alan Hovden**

**Partner**

Robins Kaplan LLP  
399 Park Avenue  
Suite 3600  
New York, NY 10022  
212.980.7400 (tel)  
212.980.7499 (fax)  
JHovden@RobinsKaplan.com

**FOCUS OF PRACTICE**

Hatch-Waxman Litigation  
Intellectual Property and Technology Litigation

**EXPERIENCE**

Practices in the area of patent litigation, with a focus on generic pharmaceutical patent cases under the Hatch-Waxman Act and within the biotechnology industry.

Has litigated numerous patent infringement and invalidity actions, including many cases involving top-selling worldwide prescription drugs for both generic and name-brand clients.

Routinely advises clients on their intellectual property portfolios and has extensive experience with the Food, Drug, and Cosmetic Act's drug-approval provisions and their attendant regulations; provides infringement, validity, and due diligence opinions.

Experienced with copyrights, particularly those involving functional works; counsels biotechnology clients regarding licensing matters.

Provides analysis of current legal issues facing the health and life sciences industry in the Robins Kaplan Trial Attorneys Blog.

**SELECTED CASES\***

Representative Hatch-Waxman Litigations

*Forest Laboratories, Inc. v. Torrent Pharmaceuticals Ltd.*: Represented client in litigation to bring generic Bystolic® (nebivolol) to market. Recently settled for value for generic company.

**SELECTED CASES (Cont.)**

*SmithKline Beechman Corp. v. Pentech Pharmaceuticals, Inc.* Represented client on generic Paxil® (paroxetine); seminal case led to demise of “universal seeding” tactic by name-brand companies. Settled for value. (Prior to joining Robins Kaplan LLP)

*Warner Chilcott Laboratories Ireland Limited v. Impax Laboratories, Inc.* Represented client in central portion of litigation, including critical claim-construction briefing and testimony portion, for generic Doryx® (doxycycline) antibiotic. Client prevailed at trial on non-infringement turning on claim construction. (Prior to joining Robins Kaplan LLP)

*Lundbeck A/S/ v. Alphapharm Pty Ltd.* Represented client to bring to market generic Lexapro® (escitalopram oxalate) anti-depressant. Leveraged settlement for value at spoliation hearing on eve of trial. (Prior to joining Robins Kaplan LLP)

*UCB S.A. v. Mylan Inc.* Defended client’s right to sell generic Keppra® (laevetiracetam) anti-epileptic. Settled for value for client. (Prior to joining Robins Kaplan LLP)

*AstraZeneca AB v. Genpharm Inc.* Represented client in “first-wave” litigation to get client’s generic Prilosec® (omeprazole) anti-ulcer drug to market. Invalidated strategic patents allowing client to waive exclusivity and gain value from competitor’s entry. (Prior to joining Robins Kaplan LLP)

*Genentech, Inc. v. Bio-Technology General (Israel) Ltd.* Represented biologics company seeking to market a follow-on Humatropin® (somatropin) human growth hormone in an ITC proceeding. (Prior to joining Robins Kaplan LLP)

**JEFFREY ALAN HOVDEN, *continued***

**SELECTED CASES (Cont.)** *GlaxoSmithKline plc v. [various generic companies]*. Protected the flagship GSK Zantac® (ranitidine HCl) franchise for a number of years. (Prior to joining Robins Kaplan LLP)

\* Past results are reported to provide the reader with an indication of the type of litigation in which we practice and does not and should not be construed to create an expectation of result in any other case as all cases are dependent upon their own unique fact situation and applicable law.

**BAR ADMISSIONS**

New York  
U.S. District Court, Eastern District of New York  
U.S. District Court, Southern District of New York  
U.S. Court of Appeals, Federal Circuit  
U.S. Supreme Court

**PROFESSIONAL ASSOCIATIONS**

American Intellectual Property Law Association  
Federal Circuit Bar Association  
LeGaL, the LGBT Bar Association of New York  
New York Intellectual Property Law Association

**PUBLICATIONS**

“Patent Litigation and Generic Drug Companies: How to Avoid Becoming an “Exceptional Case” (November 14, 2014)  
“Generics Need Sword Shield For Exceptional Patent Case,” *Law360* (September 18, 2014)  
“The Supreme Court Identifies Categories of Patent-Eligible and Patent-Ineligible DNA Sequences,” *Bloomberg BNA: Life Sciences Law & Industry Report* (August 9, 2013)

**SPEAKING ENGAGEMENTS**

“Disclosure-dedication Doctrine: A Primer on the Potential Pitfalls of This U.S. Form of Non-infringement,” Co-Presenter, *World IP Forum*, Webinar (April 30, 2021)

**JEFFREY ALAN HOVDEN, *continued***

**SPEAKING  
ENGAGEMENTS (Cont.)**

“Skinny Labels and Inducing Infringement after *GSK v. Teva*,” Panelist, *Intellectual Property Owners Association (IPO) IP Chat Channel*, Webinar (November 5, 2020)

“Hatch-Waxman Best Practices: Reports from the Front,” *International IP Law Association Virtual IP Summit 2020*, Webinar (October 20, 2020)

“How to Litigate Hatch-Waxman Cases in the New Realities,” *International IP Skills Summit*, Hyderabad, India (August 14, 2019)

“Patents: From Tudor Monopolies to eBay Sort-Of Rights to Exclude - How Policy Shapes Patents,” *International IP Skills Summit*, Hyderabad, India (August 13, 2019)

“IP Protection for Generic Drug Companies,” *International IP Skills Summit*, Bangalore, India (September 7, 2017)

“India’s Creative 3(d) Patent Law and a Porcelain Doorknob: How the US and India Implement Patent Policy,” *Chandigarh Business Network: Fabulous Confabulations*, Chandigarh, India (September 16, 2015)

“20 Years in Hatch-Waxman: Best Practices in US Pharma Litigation,” *Chandigarh University*, Chandigarh, India (September 15, 2015)

“REMS Drug-Samples Blockades: The Ins, and the Outs,” *IPR Conclave & Awards*, Mumbai, India (September 10, 2015)

**MEDIA APPEARANCES**

Media interviews on a variety of topics related to Hatch-Waxman litigation, both in print and on the radio.

**CIVIC ASSOCIATIONS**

Harlan Fiske Stone Council of Columbia Law School, Member

Zen Studies Society, Board Member

**JEFFREY ALAN HOVDEN, *continued***

**RECOGNITION\*\***

Named a “Life Sciences Star,” *LMG Life Sciences* (2020)

Member of the trial team that won “Hatch-Waxman Impact Cases of the Year” award, *LMG Life Sciences* (2016)

Named a “Top Author” by *JD Supra* (2016, 2019-2021)

\*Being named to the list or receiving the award is not intended and should not be viewed as comparative to other lawyers or to create an expectation about results that might be achieved in a future matter.

**EDUCATION**

Columbia University School of Law, J.D. (1993);  
Note Editor, *Columbia Journal of Law & the Arts* (1992-1993)

University of Minnesota, B.A. in Biology and  
Philosophy, minor in Japanese, *summa cum laude*,  
Phi Beta Kappa (1988)

**FOREIGN LANGUAGES**

Japanese