



## Brenda L. Joly

Counsel  
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### Practice Areas

- Appellate Advocacy and Guidance
- Business Litigation
- Intellectual Property and Technology Litigation
- Patent Litigation

### Education

- Harvard Law School, J.D., *cum laude*, (2003); Editor, Harvard Journal on Legislation
- Hamline University, B.A., Criminal Justice, Psychology, and Legal Studies, *summa cum laude*, Phi Beta Kappa (2000)

### Bar Admissions

- Minnesota
- U.S. Court of Appeals, Federal Circuit
- U.S. District Court, Massachusetts
- U.S. District Court, Minnesota



### Experience

Brenda Joly, a member of the firm's Intellectual Property and Technology Litigation Group, has significant experience in intellectual property litigation, with a particular emphasis on patent litigation. She has handled several patent infringement lawsuits on behalf of both patent owners and patent defendants in federal courts nationwide. She also has litigation experience in trademark and false patent marking cases.

Ms. Joly has worked on patent cases involving a broad range of technologies, including in the fields of pharmaceuticals, semiconductor manufacturing, lasers, medical devices, software and computer technology.

She also has experience in a variety of general commercial litigation areas including contract disputes, employment, securities, and antitrust.

In addition, Ms. Joly has handled a variety of pro bono matters involving family and domestic violence, as well as criminal law, housing and benefits issues.

Ms. Joly was a law clerk for the Bureau of Consumer Protection, Division of Marketing Practices, for the Federal Trade Commission in Washington, D.C.

### Selected Case Results\*

Trial counsel in *Grantley v. Clear Channel Communications, Inc.*, a patent infringement case in which a federal jury in the Eastern District of Texas awarded Grantley Corporation \$66 million. The jury found that Clear Channel Communications, Inc. infringed on four of Grantley Corporation's patents related to an integrated inventory management system for radio advertising time. The jury also found that the infringement was willful. The verdict was announced on April 22, 2008. On June 11, 2008, the court enhanced the damages by more than \$16.5 million, awarded prejudgment interest and entered judgment totaling more than \$89 million. The case settled while on appeal under confidential terms.

*Wyeth v. Teva Pharmaceuticals USA, Inc.*, No. 03-CV-1293 (D. N.J.) (with previous firm). Integral member of litigation team that represented Teva in defending against Wyeth's assertions of patent infringement in response to Teva's bid to market

generic venlafaxine hydrochloride extended release capsules, a popular antidepressant sold by Wyeth as Effexor XR. After a *Markman* ruling and while the Court's ruling on a summary judgment motion was pending, on the eve of trial, a settlement was reached in 2006. Teva subsequently released generic venlafaxine hydrochloride (immediate release) tablets in 2006 and generic extended release capsules in 2010, before the expiration of patents allegedly applicable to the products.

Past results are reported to provide the reader with an indication of the type of litigation we practice. They do 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.

### **Recognition\*\***

- Named a "North Star Lawyer" by the Minnesota State Bar Association for providing at least 50 hours of pro bono legal services (2016)

\*\*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.

### **Resources**

#### **News**

- Federal Circuit Upholds Jury Verdict in Favor of PCT International, Inc. in Patent Infringement Action Against Amphenol Subsidiary Holland Electronics
- 82 Robins Kaplan Attorneys Named "North Star Lawyers" for Providing Pro Bono Advocacy