



## E. Anthony Figg

### Member

E. Anthony Figg specializes in intellectual property law, primarily involving the chemical, pharmaceutical, health care and biotechnology industries. His practice focuses on patent litigation and interferences, patent procurement, intellectual property licensing and related contract matters, opinions and counseling.

Mr. Figg has served as lead counsel in a large number of complex patent litigations in federal district courts, the International Trade Commission, and the Board of Patent Appeals and Interferences, as well as appeals before the United States Court of Appeals for the Federal Circuit and the Court of Appeals for the District of Columbia Circuit. Brief synopses of many of these cases may be found at the firm's website.

Mr. Figg and the firm litigated some of the first cases arising out of the Drug Price Competition and Patent Term Restoration Act of 1984 (the so-called "Hatch-Waxman" amendments) and have continued to handle a large number of such cases. His trial and appellate practice has included the successful prosecution of several groundbreaking cases involving the interpretation and application of the Hatch-Waxman amendments.

Mr. Figg has been ranked in the IAM Patent 1000 (2013-2018) for the DC Metro Area and listed in the "Washington DC Super Lawyers" list (2007-2017), published by Thomson Reuters, for several years, and named D.C. Lawyer of the Year for intellectual property law by The Best Lawyers in America 2011. He is included on the Super Lawyers Top 100 list. Mr. Figg has also been selected as a leading practitioner in the specialty of intellectual property law in Best Lawyers in America, and has been listed in Washingtonian Magazine's review of top Washington lawyers. Mr. Figg was also selected for The International Who's Who of Patent Lawyers (2010-2015), and a "Star" attorney in the field of Life Sciences by LMG (2013-2017) and Managing Intellectual Property (MIP). In 2011, Mr. Figg was listed in the Best Lawyers Annual Guide to Patent Law, IAM Life Sciences 250 list of leading life sciences patent litigators, and Guide to the World's Leading Patent Law Practitioners.

Mr. Figg is a Fellow of the American College of Trial Lawyers and the American Bar Foundation. He is a member of the District of Columbia Bar and its Intellectual Property Law Section and the Licensing Executives Society. In past years, he has served on the Patent Law Working Group of the Biotechnology Industry Organization, the Advisory Committee on Intellectual Property of the Franklin Pierce Law School, and the Georgetown University



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#### Education

J.D., Indiana University School of Law - 1973

B.S., Chemistry, Rose Polytechnic Institute (now Rose-Hulman Institute of Technology) - 1968

#### Bar Admissions

Bar Admissions

District of Columbia

U.S. Patent and Trademark Office

Court Admissions

U.S. Court of Appeals for the Federal Circuit

U. S. Court of Appeals for the District of Columbia Circuit

Various Other U. S. Courts of Appeal

U.S. Supreme Court

#### Attorneys

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## Areas of Concentration

- Counseling
- Licensing and Transactions
- Litigation
- Alternative Dispute Resolution
- Appellate
- Food and Drug Administration Practice
- Federal District Court
- Hatch-Waxman Litigation
- International Trade Commission
- Patent Interferences
- Patent Prosecution
- Biologics and Biosimilars
- Biomedical
- Biology and Biotechnology
- Chemical
- Pharmaceutical

## Publications & Presentations

Mr. Figg has authored numerous publications and has lectured extensively in the field of intellectual property law. Included among his publications are:

- "Biotechnology: Science Fiction Becomes a Legal Reality," *The Compleat Lawyer*, Vol. 3, No. 1, 1986
- "Intellectual Property - Special Considerations in the Biotechnology Field," *Chemtech*, May 1986
- Case Comment, "Burroughs Wellcome Co. v. Barr Laboratories," *Patent World*, October 1993
- "Intellectual Property Protection for Plant Research in the USA: A Cornucopia of Opportunity," *Curr. Opinion Biotechnology*, 6 (2), 135-41, April 1995
- "The Impact of GATT on U.S. Patent Protection Laws," *The Biotechnology Report 1995/96*, p. 37, Camden Publ., Ltd.
- "Patent Infringement Issues Unique to Biotechnology," Proceedings of the Joint Educational Program at the Section of Patent, Trademark and Copyright Law and the Section of Science and Technology, American Bar Association, August 1987
- "Bioscience Patent Prosecution Developments," Proceedings of the 3rd Annual Spring Educational Program, American Bar Association Section of Patent, Trademark and Copyright Law, March 1988
- "Intellectual Property Protection for Plant Technologies," IX International Congress on Plant Tissue and Cell Culture, Jerusalem, Israel, 1998
- "Corroboration Requirements When Prior Invention Is Asserted as a Basis of Invalidity Under § 102(g)," Proceedings of the Continuing Legal Education Program in Conjunction with the Ninth Annual National Inventors Hall of Fame Induction Ceremonies, September, 1999
- "Enforcing Biotechnology Patents -- Doctrine of Equivalents," 17th Annual ATCC Biotech Patent & Licensing Forum, September, 1999
- "Recent Developments in the Law of Inventorship, Best Mode Compliance and Double Patenting," Proceedings of the Continuing Legal Education Program in Conjunction with the Tenth Annual National Inventors Hall of Fame Induction

Attorneys  
Recognized in 2018  
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Six Attorneys  
Recognized in 2017  
IAM Patent 1000



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Stars



Ceremonies, September, 2000

- "The Intersection of State Street and Biotech Boulevard," Presented at the Annual Meeting of the American Bar Association, Cambridge, England, July 18, 2000
- "Patent Litigation: Lessons from Recent Cases," Presented at the Biotechnology and Pharmaceuticals Conference Law Seminars International, Atlanta, Georgia, April 23, 2002
- "Patent Law Perspective on the Report of the Federal Trade Commission on Balancing Competition and Patent Law and Policy," Presented to the ABA Section of Antitrust Law, May 2004

## Professional Affiliations, Honors & Recognition

### American Bar Association

Mr. Figg is Past Chair of the Section of Intellectual Property Law of the American Bar Association (2005-06), which is the largest organization of intellectual property lawyers in the world. Mr. Figg's service in the Section of Intellectual Property Law has been extensive. He served a four year term on the Section's Council and has chaired numerous standing and special committees and divisions for more than twenty years. He currently serves as Section Parliamentarian, chairs the Section's Patent Law Reform Task Force and chairs its Nominating Committee. His activities in the ABA also have extended beyond the Intellectual Property Law Section. For several years, he served as a member of the Standing Committee on Amicus Curiae Briefs. That committee is responsible for approving and insuring the quality of all amicus briefs filed in the Supreme Court, the Court of Appeals for the Federal Circuit and other appellate courts on behalf of the Association. He previously was a member of the ABA's Coordinating Committee on Bioethics.

### American Intellectual Property Law Association

Mr. Figg has been a longstanding member of the AIPLA and has served on several of its committees.

### AIPPI United States

Mr. Figg has served on the Executive Committee of AIPPI United States, which is the U.S. group of the Association Internationale pour la Protection de la Propriété Intellectuelle, an international association of intellectual property professionals. He has been responsible for drafting several position papers for the U.S. Group on questions involving the protection of biotechnological inventions and representing the U.S. Group in international debates and discussions of these issues.