

Axinn Obtains Stipulated Summary Judgment of Non-Infringement for Zydus

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ATTORNEYS

Landmon, Chad

Murata, Jason

PRACTICE AREAS

Intellectual Property

Axinn successfully obtained a stipulated order of non-infringement regarding a patent asserted against its client, Zydus, in ongoing patent litigation concerning generic versions of Abilify® (aripiprazole). Otsuka markets Abilify® and had filed an amended complaint adding infringement allegations related to U.S. Patent No. 8,759,350, which the Court dismissed without prejudice. Otsuka then filed a second amended complaint against Zydus adding the '350 patent. Before Zydus answered the second amended complaint, the Court construed the claims of the '350 patent favorably for Zydus. In light of this favorable claim construction, Axinn succeeded in negotiating a stipulated summary judgment of non-infringement concerning the '350 patent.

The Axinn team included Chad Landmon and Jason Murata.