



John K. Hsu

Partner
Washington
jhsu@schiffhardin.com

D 202.778.6467

Overview

John has deep experience in intellectual property litigation and regularly litigates patent infringement cases. Since 2006 his practice has focused on pharmaceutical litigation, representing generic drug manufacturers in high-stakes patent litigation brought under the Hatch-Waxman Act. With a Ph.D. in chemistry, his depth of scientific knowledge and trial experience makes him uniquely qualified to advise his pharmaceutical clients and develop trial strategies for effective trial presentations or negotiating favorable settlements. He represents clients throughout all phases of litigation including both jury and bench trials before the federal district courts, the Court of Appeals for the Federal Circuit, the Supreme Court of the United States, and the United States International Trade Commission. He also has litigated patent, trademark, and trade secret cases involving varying technologies including medical devices, computer software, and food processing technology.

Practices

- Hatch-Waxman and Biosimilars
- Intellectual Property
- Patent Litigation
- Patent Office Post-Grant Proceedings

Industries

- Cannabis
- Pharmaceuticals

Experience

- Successfully represented Fresenius Kabi USA, LLC in obtaining a rare preliminary injunction in federal district court. The injunction barred our client's competitor from launching a generic version of its patented formulation of levothyroxine, an injectable thyroid hormone. The District Court for the District of New Jersey granted the injunction on the basis that our client was likely to win its patent lawsuit against its competitor.
- Co-authored briefs submitted to the Supreme Court in noteworthy patent cases, including *The Holmes Group, Inc. v. Vornado Air Circulation Systems*, *KSR Int'l Co. v. Teleflex, Inc.*, and *EBay, Inc. v. MercExchange*.
- Represented clients in ANDA cases on a variety of drug products including Exelon®, Prandin®, Lexapro®, Crestor®, Epipen®, Plavix®, Lunesta®, Antara®, Glumetza®, Veramyst®, Intermezzo®, ganirelix, Vimpat®, Onglyza®, Kombiglyze®, Topicort®, Velcade®, Mitigare®, levothyroxine, Cancidas®, Sensipar®, Pazeo®, and Imbruvica®.
- Represented clients in trademark and trade secret matters including successfully prohibiting the unauthorized use of clients' trademarks and defending against trade secret misappropriation claims.

Credentials

Education

- University of Maryland Francis King Carey School of Law, J.D., 2000
- University of Maryland, Ph.D., Inorganic Chemistry, 1997
- Johns Hopkins University, B.A., Biology, 1990

Bar Admissions

- District of Columbia
- Virginia
- U.S. Patent and Trademark Office

Insights

12.28.2018

Article

Five Patent Law Lessons Learned in 2018

10.14.2016

Alert

Pharma team scores rare preliminary injunction

05.12.2015

Trending Legal Issue

FDA Offers More Guidance on Biosimilars

04.21.2015

In The News

Schiff Hardin Snags IP, Pharma Pro from Winston & Strawn

Other Publications

- "Swords and Shields: Protect Your Credit Union's Good Name with a Service Mark," (co-author) *Credit Union Magazine* (Sep. 2002)
- "Synthesis and Properties of Heterocyclic Substituted 1,2-Enedithiolates of Nickel, Palladium, and Platinum," (co-author) *Inorganic Chemistry* (1997)
- "Metallo-2,3-Disulfidothienoquinoxaline, 2,3-Disulfidothienopyridine, and 2-Sulfido-3-oxidothienoquinoxaline Complexes: Synthesis and Characterization," (co-author) *Inorganic Chemistry* (1997)
- "Direct Conversion of α -Substituted Ketones to Metallo-1,2-Enedithiolates," (co-author) *Inorganic Chemistry* (1996)
- "C60- with Coordination Compounds (Tetraphenylporphinato) chromium(III) Fulleride," (co-author) *Journal of the American Chemical Society* (1991)

Citizenship

Pro Bono Activities

- John represents Noble Uprising, a non-profit organization that empowers women in shelters with job readiness skills training and sustainable job opportunities.

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