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Law360's Legal Lions Of The Week

By **Kevin Penton**

Law360 (August 16, 2024, 4:49 PM EDT) -- Shaw Keller LLP and Covington & Burling LLP lead this week's edition of Law360 Legal Lions, after a federal judge overturned a Delaware jury verdict that AstraZeneca owes \$107.5 million for infringing two cancer drug patents owned by a Pfizer unit.

U.S. District Judge Matthew Kennelly of Illinois, a visiting judge in Delaware, on Wednesday granted judgment as a matter of law to AstraZeneca and invalidated both patents that the company's blockbuster drug Tagrisso was found to infringe, determining that both patents were invalid for failing to provide sufficient information about the invention.

AstraZeneca is represented by Karen Keller, Andrew Russell, Nathan Hoeschen and Emily DiBenedetto of Shaw Keller, and Christopher Sipes, Einar Stole, Eric Sonnenschein, Megan Keane, Kaveh Saba, Priscilla Dodson, Alexander Trzeciak, Ashley Winkler, Melissa Keech, Tobias Ma, Elaine Nguyen and Robert McMullen of Covington & Burling.

Paul Hastings LLP and O'Melveny & Myers LLP triumphed as the Federal Circuit on Tuesday fully revived claims of patents covering Allergan's bowel treatment drug Viberzi. The court overruled a Delaware federal judge who had said the claims didn't meet obviousness-type double patenting or written description requirements. Allergan and Johnson & Johnson's Janssen unit, which had licensed the Viberzi patents to Allergan, are represented by Eric Dittmann, Stephen Kinnaird, Melanie Rupert and Peter Conway of Paul Hastings, and Lisa Pensabene, Hassen Sayeed and James Li of O'Melveny & Myers.

Mayer Brown LLP, Latham & Watkins LLP and Quinn Emanuel Urquhart & Sullivan LLP roared when a Tennessee federal judge on Thursday granted summary judgment to Spotify in a copyright infringement lawsuit brought by Eminem's music publisher. The judge chided the music publisher for using a "wait-and-sue strategy" to increase the potential damages owed by the music-streaming behemoth. Spotify is represented by Matthew Ingber, Andrew Pincus, Rory Schneider, Allison Aviki, Alina Artunian and Archis Parasharami of Mayer Brown, Allison Stillman of Latham & Watkins, and Carey Ramos, Rachel Epstein, Cory Struble and Mario Gazzola of Quinn Emanuel.

Hueston Hennigan LLP and Perkins Coie LLP succeeded when a Washington federal judge on Wednesday canceled a \$72 million jury award against The Boeing Co. for misappropriating electric jet startup Zunum Aero Inc.'s trade secrets, finding Zunum offered "only vague and amorphous descriptions" of the trade secrets at trial. Boeing is represented by John Hueston, Moez Kaba, Yegor Fursevich, Justin Greer and Cassidy O'Sullivan of Hueston Hennigan, and David Perez, Susan Foster and Madeline Swan of Perkins Coie.

The Edelsteins Faegenburg & Brown LLP and attorney Daniel Thomas make this week's list after a New York state jury on Tuesday awarded \$287 million in damages to a man and his girlfriend's estate in a suit alleging a defective Harley-Davidson "trike" motorcycle caused a deadly crash in Pennsylvania. Harold Morris and the estate of Pamela Sinclair are represented by Paul Edelstein and Arthur Blyakher of The Edelsteins Faegenburg & Brown LLP and by Thomas.

Armstrong Teasdale LLP and Morgan Lewis & Bockius LLP succeeded as a Missouri federal judge found Wednesday that the state's anti-ESG rules for brokers and advisers violate the First Amendment and are preempted by the National Securities Markets Improvement Act of 1996 and the Employment Retirement Income Security Act of 1974, handing the Securities Industry and Financial Markets Association an early win in its suit against state officials. SIFMA is represented by Karrie Clinkinbeard, William Ray Price Jr. and Angela Kennedy of Armstrong Teasdale, and Jason Pinney, Vanessa Brown, Michael Kenneally, David Boch and Jeff Goldman of Morgan Lewis.

Skadden Arps Slate Meagher & Flom LLP and Kirkland & Ellis LLP round out this week's pride after snack food and candy giant Mars Inc. announced Wednesday its agreement to buy Kellanova, the maker of Cheez-It and Pringles snacks, for \$35.9 billion, in the largest merger announced all year.

Mars is represented by Howard Ellin, Neil Stronski, June Dipchand, Cliff Gross, Clifford Aronson, Michael Sheerin, Frederic Depoortere, Joseph Penko and Bruce Goldner of Skadden. Kellanova is represented by Eric Schiele, Allie Wein, Emily Lichtenheld, Robert Hayward, Robert Goedert, Ashley Sinclair, Andrea Murino, Albert Kim, Thomas Wilson, Sion Davies, Scott Price, Matthew Wood, R.D. Kohut, Jackson Phinney, Dean Shulman, Adam Kool, Maria Smith, Seth Traxler, Rory Wellever and Michelle Kilkenney of Kirkland & Ellis.

--Additional reporting by Ryan Davis, Dani Kass, Hannah Albarazi, Greg Lamm, Y. Peter Kang, Sarah Jarvis and Al Barbarino. Editing by Robert Rudinger.