



Christine A. Dudzik

Partner

Christine Dudzik is a partner in the Intellectual Property practice group at Howrey and is based in the firm’s Chicago office.

Ms. Dudzik has worked extensively in patent litigation involving a number of technical fields including recombinant DNA, protein purification, immunology, diagnostics, agricultural chemicals, pharmaceuticals, microencapsulation and electrochemical processes. She has acquired particular expertise in large-scale and multiple party litigation involving the interface between patent litigation and FDA regulatory matters, including Abbreviated New Drug Applications (ANDAs) and other Hatch-Waxman related issues. She has participated in all aspects of litigation and arbitrations including discovery, dispositive motions, depositions, Markman hearings, and bench and jury trials, as well as appeals to the Federal Circuit. In addition, Ms. Dudzik has been involved in patent licensing matters including the preparation and negotiation of numerous patent license agreements, research and development agreements confidentiality agreements, and counseling with respect to other related patent matters. She also has experience in patent prosecution primarily in the chemical and biotechnology arts and has participated in Interferences and Opposition Proceedings and Appeals in the European Patent Office. Prior to earning her law degree, Ms. Dudzik worked as a patent agent.

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ADMISSIONS

Illinois

EDUCATION

Chicago-Kent College of Law
(JD, 1988)

Northern Illinois University (BS,
1976)

REPRESENTATIVE MATTERS

- *Amgen Inc. v. Chugai Pharmaceuticals, Inc./Genetics Institute* . (D. Mass.) 927 F.2d 1200 (Fed. Cir. 1991) One of the first major biotech patent infringement cases to go to trial involving recombinant DNA, specifically, erythropoietin (rEPO), and purifying and isolating the EPO gene, where client Amgen’s patent was upheld and G.I.’s patent was invalidated for non-enablement.
- *Bristol-Myers Squibb v. Ben Venue, Inc.* (D.N.J.) Represented Ben Venue in multidistrict patent infringement action under 35 USC Section 271(e)(2) (In re Research Corporation Technologies, Inc.) involving Abbreviated New Drug Application (ANDA) for chemotherapy agent where favorable Markman decision lead to finding that patent was invalid for obviousness-type double patenting.
- *Digene v. Ventana Medical Systems*. (D. Del.) Represented plaintiff in a patent infringement action involving Human Papillomavirus (HPV) and DNA probes used in gene-based assays for the detection of cervical cancer in women. Case settled favorably for client on the eve

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of trial.

- *Digene/Qiagen v. Roche and Gen-Probe*. (ICDR Arbitration N.Y.) Representing plaintiff in an arbitration proceeding for breach of contract involving patents directed to HPV technology for use in diagnostic gene-based assays. Case is pending.
- *Eltech Systems/Oxytech Systems v. PPG Industries* . (W.D. La) 903 F.2d 805 (Fed. Cir. 1990) Successfully defended PPG in patent litigation involving polymer modified asbestos diaphragms used in chlorine production. This is one of the leading cases awarding attorney fees against a patentee for bad faith litigation.
- *Novo Nordisk v. Pharmacia & UpJohn* . (D.N.J.) Multiple party patent litigation involving recombinant human growth hormone (hGH) where case was favorably settled for client Pharmacia & UpJohn during discovery.
- *Oakwood Laboratories, L.L.C. and University of Kentucky Research Foundation v. TAP Pharmaceuticals, Inc. and Abbott Labs*. (N.D. Ill.) Represented Plaintiffs in patent infringement case involving controlled release drug delivery system. Case favorably settled for client after 2 days of jury trial.
- *Stauffer Chemical Co. v. PPG Industries, Inc.* (N.D. Ohio) Successfully represented PPG in patent infringement case involving corn herbicide and chemical antidotes where case settled on first day of trial.
- *TAP Holdings Inc. v. OWL Pharmaceuticals, L.L.C.* (N.D. Ohio, case pending) Patent infringement action under 35 USC Section 271(e)(2) involving Abbreviated New Drug Application (ANDA) of client Oakwood for controlled release delivery microspheres for the drug leuprolide acetate (Lupron Depot®). Recently won summary judgment of non-infringement of eight of the twelve patents in suit.
- *Opposition and Appeal re: Amgen Inc. EP 237 545* . Client Amgen's patent to recombinant human pluripotent granulocyte-colony stimulating factor (r G-CSF) was upheld as valid in European Patent Office.

COURTS & ADJUDICATIVE BODIES

- United States Court of Appeals for the Federal Circuit
- United States District Court for the Northern District of Illinois
- United States Patent and Trademark Office

PROFESSIONAL AFFILIATIONS

- Member, American Bar Association
- Member, Chicago Intellectual Property Association

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- Trial Bar of Northern District of Illinois
- Member, Women's Bar Association of Illinois