



Aldo A. Badini

Partner
Co-Chair, Technology Antitrust Group

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Aldo is co-chair of the Technology Antitrust Group and a first-chair trial lawyer with 40 years of experience litigating cutting-edge issues at the evolving intersection of IP, antitrust, and technology. He represents clients in the high-tech, pharmaceutical, metals/mining, and food industries. Admitted in California, New York, and D.C., Aldo has spent significant time practicing in Northern California. He is also an adjunct professor at the University of New Hampshire Franklin Pierce School of Law, teaching a class that focuses on trying cases at the antitrust–IP nexus.

Aldo's principal areas of practice include antitrust and unfair competition litigation, patent and fair, reasonable, and non-discriminatory (FRAND) litigation, complex commercial litigation, arbitration, and contract disputes. He has extensive experience in the preparation and trial of complex cases to judges and juries.

Aldo has four decades of experience litigating antitrust cases involving a wide variety of issues, including those affecting intellectual property rights. He has extensive experience litigating Sherman Act Section 1 and 2 cases in numerous industries, including the cloud computing and software, steel, coffee, pharmaceuticals, health care, and electronics industries. He has successfully defended clients against predatory pricing allegations and has litigated Robinson-Patman and federal and state antitrust cases as well as antitrust cases involving standard essential patents (SEPs), patent pools, and FRAND disputes.

Aldo leads the joint prosecution group in one of the nation's largest MDL antitrust cases. He has also served as trial counsel for a major pharmaceutical manufacturer in a landmark 10-week Sherman Act antitrust jury trial in which the court granted defendants' motion for judgment as a matter of law. In that case (*In re Brand Name Prescription Drugs Antitrust Litigation*), potential damages in the tens of billions of dollars were sought along with injunctive relief, arising out of claims that various pharmaceutical manufacturers and wholesalers had conspired to deprive retail pharmacies of discounts for brand name prescription drugs.

As for patent litigation, Aldo has been involved in numerous software, semiconductor, biotechnology, and medical device patent matters. His experience includes jury and judge trials, *Markman* hearings, and IP due diligence and licensing negotiations including, most recently, two federal jury trial victories involving false advertising in the IP context and an ICC arbitration victory relating to a licensing dispute over a small molecule drug patent.

Key Matters

SELECT ANTITRUST EXPERIENCE

- Defending a large multinational technology company in a case alleging a group boycott and involving issues relating to joint patent licensing platforms.
- *Continental v. Avanci* – Secured dismissal of antitrust claims, affirmed on appeal, relating to a patent licensing platform, SEPs, and FRAND issues.
- Nucor / Skyline Litigations – Served as lead counsel for Nucor Steel, both as plaintiff and defendant, in antitrust litigations relating to alleged monopolization and exclusive dealing causes of action; obtained favorable jury verdicts in two federal jury trials on behalf of Skyline alleging unfair business practices and false advertising.
- *TreeHouse v. Green Mountain Coffee Roasters, et al.* – Leading prosecution of massive MDL matter involving claims of monopolization, exclusive dealing, and predatory product innovation issues in the Southern District of New York.
- *Volkswagen v. RPX* – Obtained dismissal for RPX in an antitrust case involving IP licensing issues.
- *Samsung v. Panasonic; Oliver v. Panasonic* – Represented Panasonic and obtained successful dismissal of antitrust and patent misuse claims in competitor and putative class cases brought in the Northern District of California challenging SD card standard setting and licensing practices.
- *Thales v. Panasonic* – Obtained summary judgment in favor of Panasonic in a predatory pricing case brought in the Central District of California.
- *In re Brand Name Prescription Drug Antitrust Litigation* – Represented Novartis in a 10-week jury trial alleging Sherman Act Section 1 conspiracy to deny discounts to retail pharmacy class. Judgment as matter of law was granted to Novartis at the close of plaintiffs' case.

SELECT PATENT LITIGATION EXPERIENCE

- *Pharmaceutical Patent Dispute* – Served as lead ICC arbitration counsel for a major pharmaceutical company involved in a patent licensing dispute. Obtained full award for the client, including attorneys' fees.
- *Medtronic v. Guidant* – Served as lead trial counsel for Guidant in a jury trial in the District of Minnesota seeking more than US\$800M in damages, plus enhanced damages, for alleged infringement of a medical device patent.

Obtained judgment as a matter of law for Guidant at the close of all of the evidence.

- *Johnson & Johnson v. Guidant* – Served as lead counsel in a case that sought to enjoin Guidant’s blockbuster US\$1B-a-year product. Successfully defeated preliminary injunction on behalf of Guidant, leading to a favorable settlement.
- *Guidant Patent Litigation* – Served as lead counsel for Guidant in a series of coronary stent and balloon catheter patent litigations in various jurisdictions over several years that settled favorably for Guidant.
- *MedImmune v. Genentech* – Served as counsel for MedImmune in the landmark U.S. Supreme Court victory involving Article III “case or controversy” issues in the context of licensing of monoclonal antibody technology.
- *MedImmune v. Centocor* – Favorably settled a declaratory judgment lawsuit brought on behalf of MedImmune.
- *Panavision v. Omnivision* – Served as counsel for Panavision in a patent infringement case in the Central District of California involving complementary metal oxide semiconductor (CMOS) imaging technology.
- *Applera v. Illumina; Illumina v. Applera* – Served as counsel for Illumina in a series of federal and state court litigations and an arbitration relating to single nucleotide polymorphism (SNP) genotyping technology and various joint venture contractual disputes. The matters settled favorably for Illumina.
- *Via v. Intel* – Served as counsel for Intel in a patent infringement litigation relating to semiconductor chip design. The matter settled favorably for Intel.
- *Rovi v. Lapis Semiconductor* – Represented Lapis in an arbitration relating to a semiconductor licensing dispute.
- *Memorial Sloan Kettering v. Errant Gene Therapeutics* – Favorably resolved for Errant Gene Therapeutics a dispute relating to a joint development agreement for a genetic treatment for beta thalassemia.
- *Uniloc v. Take-Two Interactive and 2K Games, Inc.* – Served as counsel for Take-Two and 2K Games in a patent infringement case in the Eastern District of Texas involving software activation technology. Successfully secured dismissal of Take-Two from the action before the supplier assumed responsibility for defense of remaining defendant.

Recent Experience

Secured High-Profile Fifth Circuit Dismissal for Avanci of Closely Watched Technology-Antitrust Case

Recognitions

- *Lawdragon*—Selected to the “500 Leading Global Antitrust & Competition Lawyers” guide (2025)
- *Super Lawyers*—Recognized for Intellectual Property Litigation, Antitrust Litigation, and Business Litigation (2006–2008, 2011–2012, 2014–2020, and 2022–2024)
- *The Best Lawyers in America*®—Recognized for Antitrust Law (2024–2025)
- *The Legal 500 US*
 - Recognized as a “Key Lawyer” for Antitrust: Civil Litigation/Class Actions: Defense (2023) and Antitrust: Civil Litigation/Class Actions: Plaintiffs (2025).
 - Recognized as a Team Member for the “2015 Team of the Year” in Cartel Defense

Activities

- Director, Justice Resource Center
 - Director, New York International Arbitration Center
 - Member, American Bar Association – Intellectual Property, Antitrust, and Litigation sections
 - Member, New York State Bar Association
 - Member, New York County Lawyers' Association
 - Member, Association of the Bar of the City of New York – International Commercial Disputes Committee
 - Member, Federal Bar Association
 - Member, District of Columbia Bar Association
 - Member, New York Intellectual Property Law Association
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Credentials

EDUCATION

Aldo received a J.D. in 1983 from Harvard Law School (attending his 3L year as a Visiting Student at Columbia Law School, where he was named a Harlan Fiske Stone Scholar). He received a B.A., *summa cum laude*, from Harvard University in 1980, where he was a member of Phi Beta Kappa.

ADMISSIONS

- District of Columbia
- California
- New York

Related Insights & News

Speaking Engagements

- Speaker, "Google Remedies Closing Arguments: AI & More," ABA Unilateral Conduct Committee, June 16, 2025
 - Speaker, "Google Search Trial Closings: Recap & Reactions," ABA Unilateral Conduct Committee, May 6, 2024
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RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 U.S.* 2025

JUNE 12, 2025

RECOGNITIONS

Winston Attorneys Featured on the 2025 *Lawdragon 500* Leading Global Antitrust & Competition Lawyers List

JANUARY 30, 2025

RECOGNITIONS

Winston Pro Bono Team Led by Aldo Badini Recognized in Litigator of the Week Column
JANUARY 10, 2025

PRO BONO IN ACTION

E.D.N.Y. Grants Summary Judgment for Class of Immigrants Unlawfully Held by Suffolk County
JANUARY 6, 2025

SPONSORSHIP

Winston Sponsors GAR Live: North America 2024
SEPTEMBER 24, 2024

RECOGNITIONS

Winston Attorneys Recognized in *The Best Lawyers in America*® 2025
AUGUST 15, 2024

IN THE MEDIA

Aldo Badini Discusses Google Antitrust Ruling with Law360
AUGUST 8, 2024

SPEAKING ENGAGEMENT

Aldo A. Badini Discusses the Google Search Trial on ABA Panel
MAY 6, 2024

RECOGNITIONS

Winston Attorneys Recognized in *The Best Lawyers in America*® 2024
AUGUST 17, 2023

RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 U.S.* 2023
JUNE 7, 2023

RECOGNITIONS

Winston & Strawn's Antitrust Work Shortlisted for GCR Awards 2023
JANUARY 27, 2023

RECOGNITIONS

Winston & Strawn Antitrust/Competition Practice Recognized in 2023 GCR 100
DECEMBER 19, 2022

Capabilities

Antitrust/Competition

Technology Antitrust

Patent Litigation

Litigation/Trials

Commercial Litigation & Disputes

International Arbitration

Intellectual Property

Public Companies

Technology, Media & Telecommunications

Medical Devices

Health Care