

Ivan Poullaos Discusses Jury Trial Preparedness in ANDA Cases at Paragraph IV Disputes Conference



APRIL 25, 2024 - APRIL 26, 2024

Winston & Strawn partner Ivan Poullaos spoke at the 20th Annual Paragraph IV Disputes Conference, April 25-26, 2024, in New York City.

The annual forum—which attracts Hatch-Waxman patent practitioners, leaders from both brand and generic drug companies, and U.S. judges—shapes the law, policy, and proceedings of Paragraph IV litigation.

Ivan spoke on “Jury Trial Preparedness in ANDA Cases” on the second day of the conference. With an increasing number of Hatch-Waxman disputes being decided by juries, the program will focus on the nuances of presenting complex scientific and legal arguments in a jury-friendly manner.

KEY TAKEAWAYS

- Jury trials in pharma cases happen with some regularity.
- A jury trial heightens the need to tell a story in every day, thematic terms that lay jurors with little scientific knowledge can understand. Those themes should be tied to the legal elements of the case.
- Consider the themes early, develop them, and test them (in depositions, with experts, with jury research, etc.) so that a course change is possible, if needed.
- Pretrial motions become even more critical, so be strategic in their use, such as motions in limine.

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