



Patent Litigation

Our Patent Litigation Practice is one of the country's most active and highly regarded. Our seasoned patent litigators bring extensive courtroom experience to every matter we handle. According to Lex Machina, we are among the top three national patent defense firms in the country for number of appearances and cases filed, and we also were the top national defense firm for number of patent trials in the last five years (2018–2022).

In its most recent *IAM Patent 1000* survey (2023), *IAM* described our team as “laser-focused on securing significant wins” and selected us as one of only 11 gold-tier patent litigation practices in the United States. *IAM* has honored our firm in this way each year since the inception of its survey. *Chambers USA* also included our IP practice among the handful of firms ranked nationally, specifically recognizing our patent litigation team for our “formidable range of first-chair attorneys,” and our “ability to handle complex, sophisticated matters.”

Our success has been driven by a simple strategy—we attract the best trial lawyers with the technical abilities to litigate, try, and win the most complex patent and technology litigations. Notable examples of this philosophy include: our US\$1B jury verdict (Top 3 Verdict of 2012) for Monsanto in an epic patent battle with DuPont involving Monsanto's ground-breaking Roundup Ready technology, our victory against Bristol Myers Squibb's patent on the Hepatitis-B drug Baraclude®; and our defense jury verdict on behalf of client Belkin in a bet-the-industry case against Fujitsu.

Key Contacts

[David Enzminger](#)

Areas of Focus

Patent Trial & Appeal Board (PTAB)

We have handled hundreds of proceedings before PTAB for a diverse group of clients—both on the patent owner and the petitioner sides. Our track record speaks volumes, with numerous high-stakes cases successfully navigated through the PTAB process, resulting in favorable decisions and substantial victories for clients. Because these proceedings are a unique combination of patent litigation and patent prosecution, they require strategic-minded attorneys with both litigation and technical skills. Leveraging a diverse team of seasoned litigators and technical attorneys, we excel in crafting persuasive arguments, developing innovative strategies, and providing insightful guidance to clients across various industries before the PTAB. We have successfully employed the use of these proceedings as part of a complete litigation strategy to obtain favorable results for our clients.

ITC – Section 337

We have over 80 years of collective ITC experience and have litigated more than 100 patent infringement cases before the ITC. Our team includes attorneys who have first-chaired successful ITC trials; a former ITC Senior Investigative Attorney; former U.S. Patent Examiners; and more than 50 attorneys with technical degrees in electrical, mechanical, chemical, and biomedical engineering, and other sciences. We have the education and industry experience to understand the complex technology immediately, a working knowledge of the specialized administrative procedural law, and the substantive experience to formulate and execute the strategies necessary to succeed at the ITC.

Federal Circuit & Other IP Appeals

We have decades of experience handling patent appeals before the Federal Circuit. In the last five years, we have represented clients in 130 Federal Circuit appeals. Our team combines extensive patent litigation experience with top-tier appellate advocacy to help clients achieve the best possible outcomes in the Circuit.

[Learn More](#)

Biotech & Biosimilars

We are litigating at the cutting edge of biotech patent litigation. We possess a unique blend of technical proficiency, legal acumen, and industry knowledge, which enables us to represent biologic companies and biosimilar manufacturers effectively in high-stakes disputes. Leveraging our extensive experience in patent litigation and Hatch-Waxman matters, we craft innovative strategies tailored to the specific nuances of each case. From winning one of the largest biotech patent verdicts to representing one of the first companies to file an application pursuant to the Biologics Price Competition and Innovation Act (BPCIA), we are making history in the biotech sector.

Hatch-Waxman/Pharmaceuticals

We are unquestionably among the premier law firms representing generic pharmaceutical companies in Abbreviated New Drug Application (ANDA) patent litigation. Since 2018, we have appeared in more than 100 ANDA cases—more than any other national law firm. Through our proven track record and unwavering dedication to the interests of clients, our ANDA litigation practice sets the industry standard. We represent clients in litigation for best-selling drugs such as the blockbuster pain drug OxyContin®; dry-eye treatment drug Restasis®; psoriasis drug Otezla®; dermatology drug Oracea®; and diabetes treatments Jardiance®, Glyxambi®, Synjardy®, and Synjardy XR®.

Cable, Internet & Telecommunications

Cable, internet, and telecommunications patent litigation is an area in which we are well versed. From major internet service providers (ISPs) and software companies to online and mobile platforms, video game publishers, and app developers, we regularly defend ISPs in high-stakes patent litigation. We know and have litigated the protocols, systems, and networks that implement all levels of broadcasting and communications, and we routinely handle cases involving the systems issues that define internetworking and telecommunications from a variety of perspectives. We are experienced in litigating the architecture, software, and features of the industry's handsets—as well as the chips inside of them—and the software that runs them. We know as much as there is to know about these technologies and how to litigate them.

Semiconductors & Materials Science

Our technical attorneys have extensive semiconductor experience, including a combination of electrical engineering (EE) degrees, industry and design experience, and legal practice experience in the EE and/or semiconductor space. We represent seven of the top 20 global semiconductor companies in patent matters. We have experience litigating semiconductor fabrication techniques, including photolithography, etching (plasma/chemical and isotropic/anisotropic), CMP, and deposition (e.g., PVD, CVD, ECD); semiconductor design, including design of high-speed chipsets, layout, simulation/modeling, and testing (wafer and device); modern chip architectures and technologies, including system-on-chip, RISC, and FPGA; processing, including fabrication toolsets and processes; yield and contamination issues; semiconductor evaluation and analysis, including working with Semiconductor Insights and other outfits and interpreting SEMs or TEMs; relevant standards; and cross-border legal issues, including anti-suit injunctions.

Related Capabilities

Intellectual Property

Privacy & Data Security

Trademark Litigation, Prosecution & Brand Protection

Trade Secrets, Non Competes & Restrictive Covenants

Antitrust/Competition

Copyright-Infringement Litigation

IP Licensing & Due Diligence

ITC – Section 337

Technology Antitrust

Health Care

Life Sciences

Medical Devices

Technology, Media & Telecommunications

Automotive & Mobility

Financial Services

Recent Experience

Federal Circuit Backs PayPal

Winston Achieves Historic No-Damages Summary Judgment for Microsoft in Patent Case

Winston Defeats Halliburton Patent-Infringement Lawsuit Over Electric Fracking Technology at Trial in Waco

Seminal § 101 Win Secured for SAP in Patent Suit

Rare Noninfringement Jury Verdict for Teva N.A. in Patent Infringement Case for Suboxone® Tablets

Winston Secures Favorable Settlement for Virtualization Company in 10-Patent Case

Resources

[WacoWatch](#)

Related Insights & News

CLIENT ALERT

ITC Finds Post-Lashify that Sales and Marketing Investments Would Further Satisfy the Domestic Industry Requirement

JUNE 20, 2025

CLIENT ALERT

Federal Circuit Reverses US\$200M+ Jury Verdicts Because Asserted Claims Are Unpatentable Under § 101

JUNE 13, 2025

RECOGNITIONS

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

JUNE 12, 2025

CLIENT ALERT

PTAB Acting Director Denies IPR Merely Because Petitioner Knew of the Challenged Patent Over a Decade Ago

JUNE 10, 2025

RECOGNITIONS

Winston Lawyers Named as 2025 IP Stars

JUNE 10, 2025

RECOGNITIONS

Winston Recognized in 2025 *IAM Patent 1000* Rankings

JUNE 3, 2025

RECOGNITIONS

Kathi Vidal Named to Top 50 Women in PTAB Trials List

JUNE 2, 2025

IN THE MEDIA

Kathi Vidal Discusses Strategic Use of Trade Secrets in Intellectual Property at INTA 2025 Annual Meeting

MAY 29, 2025

RECOGNITIONS

Winston Lawyers Featured on the Inaugural *Lawdragon* 500 Leading Global IP Lawyers List

MAY 29, 2025

IN THE MEDIA

Winston Partners Recognized in *World Intellectual Property Review's* Leaders Directory 2025

MAY 28, 2025

CLIENT ALERT

The En Banc Federal Circuit Clarifies What Evidence May Be Relied on for Proving Reasonable Royalty Damages

MAY 22, 2025

CLIENT ALERT

ITC Clarifies Scope of the Economic Prong of the Domestic Industry Requirement, Allowing Investments That Predate the Asserted Patent Issue Date

MAY 20, 2025