



## Ivan Poullaos

Partner

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Ivan is an accomplished patent trial lawyer with experience in many areas of technology, but particular experience in the life sciences sector representing pharmaceutical companies in biologics and small molecule patent infringement cases. *Chambers USA* recognized Ivan as “an extremely responsive and trial-savvy lawyer.”

Ivan is a trial lawyer with experience handling patent infringement cases covering numerous technical areas such as mobile telecommunications, computer software, and mechanical devices. He has developed a particular concentration in pharmaceutical patent litigation involving the Hatch-Waxman Act and the Biologics Price Competition and Innovation Act. With a degree in chemistry, Ivan is able to take many technical cases to trial with remarkable success.

Ivan’s trial wins in the pharmaceutical sector have been notable. He obtained a significant jury trial victory in a case in which our client’s products were cleared from allegations of patent infringement. As a result of the jury’s favorable finding, the jury awarded no damages against our client, despite a request for an eight-figure award.

Well before trial, Ivan’s clients look to his strategic advice and analysis to determine the best and most efficient way to achieve their goals, including the potential use of proceedings before the Patent Office.

# Key Matters

Helped achieve significant trial, appellate, and summary judgment victories for a major cell culture device manufacturer accused of trade secret misappropriation, breach of contract, and patent infringement. The court found for the client on all issues after a month-long trial, and the Federal Circuit affirmed the judgment. The court also dismissed and entered summary judgment in the client's favor on all asserted patents.

Achieved a notable trial win for a pharmaceutical company by convincing the court to invalidate the patent covering the active ingredient molecule in the Hepatitis B treatment, Baraclude® (entecavir). The decision was especially important because, for the first time, it invalidated as "obvious" a patent on a new chemical compound. The case received extensive press coverage, including articles in *Forbes*, Bloomberg, Law360, *Inside Counsel*, and countless IP, FDA, and patent law-related blogs. Ivan also represented this client in the appellate stage of the case, where the district court's ruling was affirmed.

Ivan's other noteworthy life sciences patent cases have included:

- Representation of a large brand pharmaceutical company in its defense of a groundbreaking gene therapy against allegations of patent infringement;
- Representation of a major brand pharmaceutical company regarding the COVID-19 vaccine and its delivery mechanism;
- The anticancer treatments Clolar® (clofarabine), Faslodex® (fulvestrant), Temodar® (temozolomide), and Gilotrif® (afatinib);
- The opioid dependence treatment products Zubsolv®, Suboxone® tablets, and Subutex® tablets (buprenorphine and buprenorphine/naloxone);
- The pain relief products Lidoderm® (lidocaine patch), Exalgo® (hydromorphone HCl), and Abstral® (fentanyl sublingual tablets);
- The IBS (peptide) drug Linzess® (linaclotide);
- The antibiotics Omnicef® (cefdinir), and Difacid® (fidaxomicin);
- The nasal steroid drug Veramyst® (fluticasone furoate);
- The dementia treatment Exelon® (rivastigmine);
- The prostate treatment Avodart® (dutasteride);
- The estrogen modulator Evista® (raloxifene);
- The low testosterone treatments Fortesta® (testosterone gel) and Testim® (testosterone gel); and
- The diabetes and weight loss drugs Tradjenta® (linagliptin), Jentadueto® (linagliptin/metformin), and Qsymia® (phentermine/topiramate).

Ivan's experience also includes a broad range of commercial, mechanical, and high-tech patent cases. For example, Ivan has represented:

- A worldwide leader in IT and networking in matters involving virtual private network (VPN) tunneling;
- Two leading high-tech companies in cases involving video processing technology and tablet computers;
- A financial technology firm in a patent infringement case involving software for electronic futures trading;
- A telecommunications firm in patent cases involving mobile telecommunications data networks and voice-over-IP systems;
- One of the world's leading technology companies in a suit relating to the development of its first smartphone;

- A defense firm in a patent case involving a “rolling code” security software algorithm;
- A railcar manufacturer in a patent case concerning gondola rail car designs;
- An agribusiness company in a mechanical patent case involving an enclosed belt conveyor; and
- A global automotive parts company in counseling concerning patents on brake rotors and brake pads.

## Recent Experience

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

## Recognitions

*Chambers USA* has recognized Ivan for intellectual property over several years, noting that he “is an extremely responsive and trial-savvy lawyer,” while the IAM Patent 1000 described him as a “highly adept litigator.” Ivan also appears in the 2025 edition of *The Best Lawyers in America*® in the area of Biotechnology and Life Sciences.

Ivan and the trial team have previously been recognized as “Legal Lions” by Law360, and he was named a “Litigator of the Week” Runner-Up by *The American Lawyer* for a jury trial victory. He was also included in the *Chicago Lawyer’s* 17th edition of “40 Illinois Attorneys Under Forty to Watch.” He was selected for this honor from more than 1,300 other nominees, and based upon nominations and comments from his clients, opposing counsel, and other peers. Ivan has also been named an “Illinois Rising Star” since 2012 for intellectual property litigation by *Super Lawyers*. In 2015, he was recognized as an “Emerging Lawyer” by *Leading Lawyers*, which recognizes the top two percent of lawyers who are 40 years old or younger and have proven themselves professional, ethical, and experienced at an early point in their legal career.

## Activities

Ivan is a member of the Leadership Board of the National Immigrant Justice Center and represents individuals pro bono in immigration court relating to applications for asylum in the United States.

He is also a member of the Advisory Board for Legal Prep Charter Academy, a legal-themed charter school in Chicago’s West Garfield Park neighborhood.

“Poullaos harnesses his chemistry acumen to craft compelling trial strategies, earning renown for his courtroom successes and innovative approach.”

*IAM Patent 1000*

## Credentials

### EDUCATION

Ivan received a B.S. in chemistry, *summa cum laude*, and with highest departmental honors, from the University of Tennessee at Chattanooga in 1999. He received a J.D. from the Washington University School of Law in 2002, where he was elected to the Order of the Coif and was a member of the *Washington University Law Quarterly*.

## ADMISSIONS

- Illinois

## Related Insights & News

Ivan's select presentations and publications include the following:

- "Developments in Induced Infringement," International Intellectual Property Skills Summit, March 7, 2025
- "Jury Trial Preparedness in ANDA Cases," American Conference Institute's Paragraph IV Disputes Conference, April 25, 2024
- "Hedging Your Bets Ahead of *Amgen v. Sanofi*: Anticipating How the Supreme Court's Enablement Ruling Will Affect Biologic Patent Portfolio Strategies," American Conference Institute's 14th Summit on Biosimilars & Innovator Biologics, June 27, 2023
- "The Future of Patent Thickets: Balancing Innovation and Competition in the Biologic Ecosystem," American Conference Institute's 12th Summit on Biosimilars & Innovator Biologics, June 23, 2021
- "Protonix – Case Study of an At-Risk Launch; New Developments in Seeking Injunctive Relief and Damages," Paragraph IV Disputes: Master Symposium, Chicago, Ill., Oct. 4, 2013
- "'Written Description' after *Ariad*," National Meeting of the American Chemical Society, Boston, Mass., Aug. 23, 2010
- "Location, Location, Location: Venue in Patent Cases and Why It Matters," Winston & Strawn eLunch Presentation, July 14, 2010
- "Inequitable Conduct," National Meeting of the American Chemical Society, San Francisco, Calif., March 23, 2010
- Trade Show Demonstrations and U.S. Patent Infringement, Co-author, *Journal of Intellectual Property Law and Practice*, 2009, Vol. 4, No. 3, 153
- Heteroleptic Platinum(II) Complexes with Crown Thioether and Phosphine Ligands I, Co-author, *Chem.*2001, 40, 564

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## SPEAKING ENGAGEMENT

Ivan Poullaos Speaks on ANDA Litigation Strategies at 9th International IP Skills Summit

MARCH 6, 2025

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## RECOGNITIONS

Winston Attorneys Recognized in *The Best Lawyers in America*® 2025

AUGUST 15, 2024

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## RECOGNITIONS

Winston & Strawn Recognized in *Chambers USA* 2024

JUNE 6, 2024

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## RECOGNITIONS

Winston Recognized in 2024 *IAM Patent 1000* Rankings

JUNE 5, 2024

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## NEWS

2023 Pro Bono Impact Report

MAY 1, 2024

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## SPEAKING ENGAGEMENT

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

APRIL 25, 2024

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## PRO BONO IN ACTION

Winston Pro Bono and Winston For Good Collaborate to Help Migrants File for Asylum

DECEMBER 8, 2023

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## RECOGNITIONS

Three Winston Teams Featured in Litigator of the Week Column

SEPTEMBER 29, 2023

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## SEMINAR/CLE

2023 Health Care & Life Sciences Summit

SEPTEMBER 21, 2023

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## SPEAKING ENGAGEMENT

Ivan Poullaos Discusses How the Supreme Court's Enablement Ruling in *Amgen v. Sanofi* Will Affect Biologic Patent Portfolio Strategies

JUNE 27-28, 2023

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## RECOGNITIONS

Winston Recognized in 2023 *IAM Patent 1000* Rankings

JUNE 26, 2023

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## RECOGNITIONS

Winston & Strawn Recognized in *Chambers USA* 2023

JUNE 6, 2023

# Capabilities

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Intellectual Property

Litigation/Trials

Patent Litigation

Appellate & Critical Motions

Life Sciences

Medical Devices

Technology, Media & Telecommunications