Briana Barron is the Vice President, Intellectual Property at Arcus Biosciences. Based in Hayward California, Arcus is focused on discovering and developing small and large molecule cancer immunotherapies. In her role, Briana is responsible for developing and coordinating worldwide intellectual property strategies, negotiating a variety of agreements, and leading the team supporting Arcus's global patent estate.

Prior to Arcus, Briana was Senior Counsel at Gilead Sciences where she supported pharmaceutical products from discovery to commercialization. In that role, Briana also conducted IP due diligence on target patent estates and acted as a liaison for partnered programs. Briana was the IP lead for a therapeutic sub-group and the biomarker sciences department.

Briana has also worked in large law firm providing litigation and opinion support to a variety of clients in the pharmaceutical and life sciences industries.

Jonathan Berschadsky

PARTNER
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212.223.6520

Jonathan Berschadsky is a Partner at Merchant & Gould's New York office who focuses his intellectual property practice on complex matters. His 20 years of experience, mixed with a passion for technology and a flair for complex problem-solving, enable him to deliver effective technology and IP agreements, due diligence analysis, opinions of counsel, strategic patent prosecution, IP litigation and so much more.

Partnering With You in All Aspects of Patent Law

Whether he's litigating a patent that he drafted, counseling on an M&A, or portfolio planning, Jonathan delivers a close partnership to each of his clients. He serves businesses, corporations, and start-ups in a wide range of industries, including electronics, manufacturing, telecommunications, and consumer products. Some of the technologies he deals with include:

- Artificial intelligence/machine-learning
- Audio signal processing
- Blockchain
- Cybersecurity
- Imaging
- Natural language processing
- Telecommunications

Regardless of your industry, he's involved in every aspect of patent law, partnering with you in your success and providing strategic insight and deliverables throughout.

- In patent prosecution, you receive a **valuable asset**.

- Through litigation as a defendant, you receive an **efficient resolution** and **disposition**.
- Through litigation as a plaintiff, you receive a **positive result**.
- In transactions, you witness **the creation of more business.**
- Through his opinion, you'll receive a **sense of safety**, giving you the confidence to move forward.

When involved in drafting patent applications, formulating arguments for high-stakes litigations or sharing his opinions on patent infringement, he never leaves a stone unturned.

Skilled Attorney With a Team Player Mindset

Jonathan focuses on being an invaluable asset to your team, managing everything involved with your patent. He understands that true patent law requires a dedicated team for the best results. If you need trademark work, he has someone to do it. If you need a design patent, he has industrial and mechanical engineers/lawyers and skilled draftspersons ready to handle it.

You have access to the right person for the right matter, every time.

As your supporter, he'll remain your go-to while ensuring you're in the best hands and have the best resources at your disposal.

Jonathan is a regular CLE Instructor for the Practicing Law Institute (PLI) and in-house counsel. In his free time, you'll find him moonlighting as a mixed martial artist or soaring in the hills on his mountain bike.

Practices

Electrical & Software

IP Due Diligence

Litigation

Licensing

Post Grant Proceedings

Internet, Cybersecurity, & E-Commerce

International Group

Industries

Electronics

Automotive & Powersports

Transportation

Consumer Products

Alternative Energy

Manufacturing

Medical Devices

Semiconductors

Telecommunications

Representative Cases

***Westwood One, LLC v. Local Radio Networks, LLC* (NDIN)**. Claims of patent infringement and trade secret misappropriation involving technologies for localizing broadcast content and operating a broadcast network.

***VerTerra, LTD. et al. v. Dtocs LLC*, (D. of Oregon)**. Patent and trademark infringement dispute involving palm leaf dinnerware.

***Verterra, Ltd. et al v. Leafware LLC* (EDCA)**. Patent infringement dispute involving palm leaf dinnerware.

Blue Spike, LLC v. Spotify USA Inc. et al. (CDCA). Patent infringement dispute involving steganographic ciphers and data scrambling.

Dicta-Direct, LLC v. Speech Processing Solutions USA Inc. (GAND). Patent infringement dispute involving speech to text conversion and language translation services.

IPC Systems, Inc. v. Cloud 9 Tech. (D. of Del.). Patent infringement dispute involving web-based trading turrets and their use in trading communication systems as well as misappropriation of trade secrets claims.

Cloud9 Tech. v. IPC Systems (PTAB). CBM and IPR contested proceedings involving specialized communication systems.

CG Tech. Development, LLC, et al. v. DraftKings, Inc. (D. Nev. & D. of Del.). Patent infringement dispute and related IPR contested proceedings involving online contests.

Canon adv. Intellectual Ventures (D. Del). Patent infringement dispute involving various aspects of printer, scanner, digital camera, and Wi-Fi technologies.

Sirona Dental Systems v. Danaher (D. Del). Patent infringement dispute involving CMOS-based digital dental imaging products.

All Media Guide adv. MOAEC (W.D. Wisc.). Patent infringement dispute involving software for managing digital music.

IBM adv. Sky Technologies. Claims of patent infringement, trade secret misappropriation, breach of contract, conversion and unjust enrichment relating to e-commerce software.

Donnelly Corporation v. Johnson Controls, Inc. et al. (W.D. Mich.). Patent infringement dispute involving automotive electrochromic rearview compass mirrors.

Education

Rutgers University School of Law, J.D., 2000

Boston University,

- *M.S. Electrical Engineering, 1993; B.S. Electrical Engineering, 1991*

Admissions

- Southern District of New York
- Eastern District of New York
- State of New York, 2001
- State of New Jersey, 2000
- U.S. Patent and Trademark Office

Professional Affiliations

New York Intellectual Property Law Association (NYIPLA)

- *Board of Directors*
- *Patent Law & Practice Committee Co-Chair 2018-2020*

Awards & Recognition

Recognized in *IAM Strategy 300 Global Leaders, 2021-2022*

Recognized in *IAM Strategy 300 – The World's Leading IP Strategists,* 2017-2023

Winner of The Burton Awards 2016 Distinguished Legal Writing Award for co-authoring "Is PTAB 'death squad' just a myth?"

IP Star, Managing Intellectual Property, 2013-2021

Top Patent Prosecutors, Patent Buddy, 2011-2017

Top New York City Intellectual Property Litigator, Super Lawyers: New York Metro Edition, 2014-2021

Speaking Engagements

"Protecting IP in Joint Ventures and Collaborative Agreements", Speaker, Strafford Publication, Inc. April 11, 2024

"Enforceable Nondisclosure Agreements: Protecting Trade Secrets and Other Confidential Business Information", Speaker, Strafford Publication, Inc. , January 17, 2024

"Drafting Restrictive Covenants and Agreements to Protect Trade Secrets", Panelist, New York City Bar - Trade Secrets Symposium, Dec 12, 2022

"NYU Tandon – Meet the USPTO", Speaker, December 2, 2022

Jonathan was a presenter/moderator at the 2021 New York Intellectual Property Law Association (NYIPLA) Transactions Bootcamp Day 5. The panel described how to go about performing a due diligence from both inhouse and outside counsel perspectives. Jonathan also taught an M&A due diligence clinic during which he presented a mock data room containing documents and worked with attendees to issue spot. Nov. 4, 2021

Inside View for Working with the USPTO", Moderator, NYIPLA One-Day Patent CLE Seminar, Nov. 13, 2019

"Section 101 - Three Years of Uncertainty", Moderator, NYIPLA One-Day Patent CLE Seminar, Nov. 16 2017

Fundamentals of Patent Prosecution: A Boot Camp for Claim Drafting & Amendment Writing, Practicing Law Institute, 2010- 2020

PTAB Forum 2016, Managing Intellectual Property, May 12, 2016

The 11th Annual Patents for Financial Services Summit, World Congress, July 23-24, 2014

Patent Drafting Considerations in Light of Some Notable Court Interpretations of the Written Description Requirement, 16th Annual Advanced Patent Prosecution Workshop, July 2007

Publications

The Uncertain Future of Laches in Patent Litigation, IPWatchdog, co-written with Jason Dorsky, October 26, 2016

The Patent Trial and Appeal Board Designates Five Decisions as Precedential, Fitzpatrick Case Update, May 9, 2016

Is PTAB Death Squad just a myth?, Intellectual Property Magazine, June 2015

IP Due Diligence: key areas of analysis in biotech and pharma transactions, Financier Worldwide, September 2011

IP risk assessment in corporate M&A, Financier Worldwide, April 2010

Software and Patent Damages for Foreign Sales: Have the District Courts Gone Too Far?, The Computer & Internet Lawyer, July 2004

Current Developments in Business Method Patent Law, E-Commerce Law Journal, September 2001

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Chris Loh practices complex patent litigation in the areas of pharmaceuticals, biotechnology, and chemistry. Over the past 20 years as lead and co-lead counsel, Chris has litigated and tried dozens of high-profile patent cases involving cardiovascular treatments, oncology therapies, neurologic medicines, anti-HIV drugs, and statins. He has argued before numerous federal district courts and the U.S. Court of Appeals for the Federal Circuit, and has won in inter partes review (IPR) proceedings before the Patent Trial and Appeal Board (PTAB) on behalf of patent owners.

In addition to his litigation work, Chris regularly counsels clients on transactional issues concerning biologics and small-molecule drug products. He also provides advice on a range of intellectual property matters, including inventorship, trade secrets, and licensing.

Experience

Representative Matters

- Represented Novartis Pharmaceuticals Corp. against multiple defendants in cases concerning patents for Novartis's Alzheimer's disease treatment, the Exelon® Patch (rivastigmine)
- Represented Novartis AG against Teva Pharmaceuticals USA, Inc. in a case concerning patents for Novartis's organ transplant rejection therapy, Myfortic® (mycophenolic acid)
- Represented Genzyme Corporation against multiple defendants in cases concerning patents for Genzyme's renal disease treatment, Hectorol® (doxercalciferol)
- Represented Novartis Pharmaceuticals Corp. against Mylan Pharmaceuticals, Inc. in a case concerning patents for Novartis's statin drug, Lescol® (fluvastatin)

- Represented Adams Respiratory Therapeutics, Inc. against Mutual Pharmaceutical Co., Inc. in a case concerning patents for Adams' antitussive drug, Mucinex® (guaifenisen)
- Represented AstraZeneca Pharmaceuticals LP against multiple defendants in cases concerning patents for AstraZeneca's anticonvulsive and antidepressant medication, Seroquel® (quetiapine)
- Represented IBM Corp. against Sky Technologies Inc. in a case concerning patents for Sky's automated negotiation software
- Represented Novartis Pharmaceuticals Corp. against Dr. Reddy's Laboratories, Ltd. in a case concerning patents for Novartis's antifungal treatment, Lamisil® (terbinafine)
- Represented Bausch & Lomb Inc. against Allergan Inc. in a case concerning patents for Allergan's glaucoma drug, Alphagan® (brimonidine)
- Represented AstraZeneca AB against Mutual Pharmaceutical Co., Inc. in a case concerning patents for AstraZeneca's antihypertensive medication, Plendil® (felodipine)

Representative Clients

- Adams Respiratory Therapeutics
- Akros Pharma
- AstraZeneca
- Bausch & Lomb Inc.
- Genzyme
- Gilead
- LEO Pharma
- Novartis
- Sanofi

Insights

Thought Leadership

New Dance Moves? Purple Book Amendments Require Public Disclosure of 'Patent Dance' Patent Lists
July 12, 2021

Supreme Court Upholds and Limits Assignor Estoppel in Patent Cases
June 29, 2021

Supreme Court Holds That Authority Exercised by Administrative Patent Judges in IPRs Is Unconstitutional and Provides for Director Review of IPR Decisions as a Remedy
June 21, 2021

Events

Antibody Claims Drafting Master Class: Strategies for Ensuring Success in U.S.
May 16 - 17, 2019

SMI's 5th Annual Biosimilars North America Conference
November 15, 2018

Recent News

Venable Scores Victory for Novartis on Rule 12 Motions
September 29, 2023

Venable Scores Patent Victory For Novartis
July 07, 2023

Venable Fitzpatrick Secures Win for Novartis on Motion to Dismiss
October 27, 2022

Credentials

Education

- J.D., Columbia Law School, 1998
  - Harlan Fiske Stone Scholar
  - Notes editor, *Columbia Business Law Review*
  - Intern, New York Volunteer Lawyers for the Arts
- B.S., Molecular Biochemistry and Biophysics, Economics (Double Major), Yale University, 1995

Bar Admissions

- New York
- U.S. Patent and Trademark Office

Court Admissions

- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York

- Court of Appeals for the Federal Circuit

Professional Memberships and Activities

- Frequent author on intellectual property issues; articles have appeared in *Lexology*, the *National Law Journal*, the *New York Law Journal*, *Bloomberg IP*, and *Managing Intellectual Property*
- Presented at the BIO IPCC Counsels conference and the New Jersey Intellectual Property Law Association Pharmaceutical/Chemical Patent Practice Update
- Taught for *Lawline*

Recognition

- **The Burton Awards**, *Burton Award for Legal Achievement*, 2006, 2008 (presented in recognition of exceptional writing)

Related Practices

Technology, Media, and Commercial
Intellectual Property Litigation
Patent Litigation
Trademark Litigation
Intellectual Property

Related Industries

Pharmaceuticals
Life Sciences

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Profile

Mario focuses his practice on the intersection of law and technology, including all aspects of data privacy and cybersecurity, as well as open source license review and technology vendor contract review and negotiations. He works with clients from a wide variety of industries to ensure they are compliant with data privacy and cybersecurity regulations and laws.

Mario works with clients in the healthcare, telecommunications, insurance, financial services, manufacturing, construction and professional services industries. Among his experience, he has:

- Responded to multiple data privacy and cybersecurity incidents, including:
  - A ransomware attack on a national healthcare network that encrypted the medical records of over one million patients residing in all 50 states. Mario conducted a state law and HIPAA breach notification analysis, coordinated a three-day mailing effort and fielded inquiries from state regulators.
  - A business email compromise where the incident resulted in a fraudulently misdirected wire transfer to a bad actor. Mario coordinated with forensic investigators and law enforcement to successfully recover $300,000 for a large federal contractor.
- Drafted legal documents including terms of use, data processing agreements, business associate agreements, incident response plans and business continuity plans.
- Counseled clients regarding compliance with privacy authorities including the CCPA, GDPR, CAN-SPAM Act, BIPA, COPPA, HIPAA, NYDFS Cyber Regulations and NY SHIELD Act.

Prior to joining Bond, Mario was an associate attorney working on data privacy and cybersecurity matters and before that was a judicial intern for the Hon. Richard J. Arcara, U.S. District Court for the Western District of New York.

Representative Presentations

- An Interview with Mario Ayoub, Artificial Intelligence, Legally Bond Podcast, November 13, 2023

Education

- University of North Carolina School of Law (J.D., *with honors,* 2020)
- Duke University, Sanford School of Public Policy (Master of Public Policy 2020)
- State University of New York at Buffalo (B.A., *summa cum laude,* 2016)

Bar/Court Admissions

- New York

Practices

- Cybersecurity and Data Privacy

- A Special Episode Celebrating Cybersecurity Awareness Month, Legally Bond Podcast, October 10, 2023
- Cybersecurity Ethics Webinar- New York State Association of School Attorneys, February 8, 2023
- A Special Episode with Mario Ayoub, World Data Privacy Day, Legally Bond Podcast, January 27, 2023

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Partner

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Matthew S. Makover is a partner in the Intellectual Property Department and Chair of Willkie's IP Transactions Practice Group. Mr. Makover has advised on intellectual property matters involving the sale and licensing of software, patents, trademarks, copyrights (including media content), data and financial products and has experience with both private and public mergers and acquisitions, financings and capital market transactions. Mr. Makover also has experience structuring and negotiating project and commercial agreements. Mr. Makover has worked with a number of clients in the entertainment, media, software, financial services, art, sports, consumer products, manufacturing, telecommunications, gaming and fashion industries.

Mr. Makover is a member of the firm's trademark prosecution practice and prosecutes trademarks for clients in the entertainment, art, spirits/winery, financial, cryptocurrency, technology, private equity, and insurance industries, as well as numerous pro bono clients. Mr. Makover also advises clients on IP prosecution and enforcement strategy, acquisitions, and ownership structures.

Selected Significant Matters

Matthew has advised on the following significant matters:

- Aralez Pharmaceuticals in connection with sales of its various business units in connection with its bankruptcy liquidation.
- Apollo Management Holdings in complex licensing and services transactions concerning software and technical services.
- Take-Two Interactive Software, Inc. in its $12.7 billion pending acquisition of Zynga
- Represented numerous high profile celebrities, musicians and athletes in connection with brand ambassador and endorsement deals and investments, across a variety of industries including metaverse/NFTs, cosmetics/beauty, apparel, distilled spirits and tech platforms.
- Marsh & McLennan in complex licensing and services transactions relating to new technology initiatives.
- Allstate in complex licensing transactions concerning software and technical services.

My Practices

Intellectual Property
Willkie Digital Works
Entertainment, Sports & Media
AI & Emerging Technologies

Education

University of Pennsylvania Law School, J.D., 2010
Duke University, B.A., 2007

Bar Admissions

New York, 2011

- Represented a number of large financial institutions in the licensing of data and financial products (including indexes) as both the licensor and licensee.
- eVestment in its $705 million sale to Nasdaq.
- L. Molteni & C. dei F.lli Alitti Società di Esercizio S.p.A. in connection with an Asset Purchase, Supply and Support Agreement with Titan Pharmaceuticals.
- An insurance holding company in its $525 million acquisition of an identity protection services company.
- CNO Financial Group in the reinsurance of a substantial portion of its Long Term Care book to Wilton Re.
- Voya Financial in the sale of its variable annuity and fixed and fixed indexed annuities businesses to an investor group including affiliates of Apollo Global Management LLC and Athene Holding, Ltd.
- Protective Life Corporation in its $1.2 billion acquisition of Great-West Life & Annuity Insurance Company's individual life insurance and annuity business.
- HealthEquity, Inc. (Nasdaq: HQY) in its agreement to acquire WageWorks, Inc. (NYSE: WAGE) for approximately $2 billion.
- SmartBear Software in its acquisition by affiliates of Francisco Partners.
- Interpublic Group in its $2.3 billion acquisition of data marketing company Acxiom Marketing Solutions.
- KIK Custom Products in*:
  - its acquisition by affiliates of Centerbridge Partners; and
  - connection with a long-term licensing arrangement with The Clorox Company for the use of the CLOROX® brand on pool-cleaning products.
- Spectrum Brands, in its $1.4 billion acquisition of Armored AutoGroup Parent, Inc., a Connecticut-based consumer products company consisting primarily of the Armor All and STP brands.*
- Citigroup, Inc. in the sale of*:
  - its retail banking business in Japan, including about 740,000 customer accounts, to Sumitomo Mitsui Banking Corporation; and
  - Citi Cards Japan, Inc., a Japan-based issuer of branded credit cards, to Sumitomo Mitsui Banking Corporation.
- Ericsson in its acquisition of MetraTech, a Massachusetts-based provider of metadata-based billing, commerce and settlement solutions.*

*Matthew advised on these matters prior to joining Willkie.

Selected Professional and Business Activities

Mr. Makover serves as Co-Chair of the IP Transactions Committee for the New York Intellectual Property Law Association.

Selected Publications and Lectures

- "Inside-Out Corporate Governance," *Journal of Corporation Law* (Volume 37, 2011, co-author)

- American Intellectual Property Law Association, Mid-Winter Institute, Tokenizing Creativity: Non-Fungible Tokens (NFTs) and Intellectual Property, February 3, 2022

Danny Spencer

International Senior Associate

Automotive | Intellectual property | IP transactions | Sports

About Danny Spencer

Danny is a senior associate in our intellectual property and technology group.

He advises primarily on intellectual property, data and commercial matters. He focuses on cross-border technology transactions, including public and private M&A, licensing, strategic partnerships, joint ventures and emerging technologies. He also advises on IP risk management and disputes, including multi-jurisdictional brand protection.

Danny spent several years at the firm's London office before joining our US IP and technology transactions group.

He speaks French as well as his native English.

Recent work

London Stock Exchange Group on its acquisition of AcadiaSoft.
Coupa on its pending $8 billion sale to Thoma Bravo.
Ericsson on the sale of its IoT Accelerator and Connected Vehicle Cloud businesses and related assets to Aeris Communications, Inc.
Google on its pending $5.4 billion acquisition of publicly-traded Mandiant Inc., as well as related transactions with Blackstone and other private equity sponsor holders of convertible preferred stock of Mandiant.
Ericsson on its $6.2 billion acquisition of Vonage.
A world-leading technology and consumer goods company in connection with several strategic acquisitions.
Aston Martin Lagonda on its strategic technology cooperation arrangement with Mercedes-Benz.
Several multinational clients on strategic data privacy and cyber security matters.
A chemicals company on its €5.9bn acquisition of significant components of Bayer's seed and non-selective herbicide businesses and on its €1.7bn acquisition of Bayer's global vegetable seeds business, certain seed treatment assets and digital agriculture platform.
A leading investment bank on its global brand protection strategy.

Qualifications

University education

BBP University Law School – Legal Practice Course, pass with distinction

King’s College London, University of London – LLM in Law, pass with distinction and top of year
King’s College London, University of London – LLB in Law, first class honours

Professional qualifications

Solicitor, England and Wales
Not admitted in New York or District of Columbia. Registered Foreign Legal Consultant, New York.
Special Legal Consultant application pending, District of Columbia.

Publications

Freshfields Digital: Should you be afraid of quantum hackers?
Blog

Blog posts

Previous

Next

Should you be afraid of quantum hackers?

How do quantum computers work?
Think of the last time you solved a maze. You probably picked a route, followed it until you reached a dead...
Author(s): Danny Spencer
21 Jun 2019

Danny Spencer

International Senior Associate

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JESSICA L. LIPSON
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Partner & Co-Chair, Technology, Data & IP

Jessica Lipson's practice focuses on technology transactions, transactional intellectual property work and privacy and data security matters.

Jessica helps her clients to understand and mitigate the risks of using third party technology and engaging with technology vendors, manage and enforce their domestic and foreign trademark portfolios, acquire and implement technology and intellectual property assets, transfer technology to outsourced vendors, understand and address the risks and compliance obligations pursuant to the myriad privacy and data security laws in the U.S. and abroad (including the CCPA and GDPR), and monetize their technology, data and intellectual property assets.

Jessica represents clients in a broad variety of industries, including Internet/e-commerce, software and online services, digital assets, entertainment, banking and financial services, consumer products, pet care, accounting, manufacturing, retail, travel, IT and others.

Jessica is able to communicate with legal, business and technical teams with equal ease, facilitating the conversations required for all subject matter experts to understand the data compliance obligations imposed on their business and allowing a better and more seamless implementation of compliance efforts. Given her engineering background, she can also seamlessly discuss technology issues and the details of statements of work with her clients, to help them achieve desired outcomes in their contracting process with minimal disruption or delay. As part of mergers and acquisitions, financing and private equity transactions, Jessica brings unparalleled advice that is not only practical, but also insightful and efficient, to minimize deal delays and keep costs for the transaction within expected parameters.

As a chemical engineer with a minor in environmental engineering, Jessica is keenly interested in technology and all of its applications, including artificial intelligence (not only the generative kind, but also all other technology that is designed to mimic human thought or human-like decision-making and problem-solving), robotics, the internet, communication, innovative software applications, quantum computing, energy, clean technologies and all other ways of transferring scientific knowledge to practical use.
Jessica is a member of the firm's diversity and Mansfield certification committees, and co-leads the firm's Women's Initiative Network. She also mentors associates through the firm's formal mentorship program (as well as her own team, more informally).

Prior to joining Morrison Cohen, Jessica practiced as a technology lawyer with Proskauer Rose LLP, Baker & McKenzie LLP and Morgan Lewis & Bockius LLP.