

Rachel Renee Blitzzer

Partner

LATHAM & WATKINS^{LLP}



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PROFILE

PRACTICES

- Intellectual Property Litigation
- Litigation & Trial

INDUSTRIES

- Entertainment, Sports & Media
- Healthcare & Life Sciences
- Technology

BAR QUALIFICATIONS

- New York
- US Patent and Trademark Office

EDUCATION

- JD, University of Chicago Law School, 2005
- BA, Yale University, 2002

Rachel Blitzzer is an experienced intellectual property litigator who represents clients in technically complex cases relating to trade secrets, patent infringement, copyright, breach of contract, business torts, and antitrust.

Rachel's litigation experience spans a broad range of technologies, including:

- Software, VR, and gaming applications
- Aerospace technologies
- Industrial machinery
- Financial products
- Medical devices
- Pharmaceuticals
- Chemical products

Rachel draws on her extensive trial experience and technical facility to advance her clients' interests in their most critical matters. Her practice includes consulting clients at all stages (from start-up to Fortune 500 companies) on sound IP strategy in order to best position them for monetization, asserting or defending future litigation, and compliance with their management and financial reporting duties. Rachel's litigation practice is complemented by her robust experience with IP licensing and diligence matters, including patent portfolio analyses, freedom-to-operate opinions, and contract drafting.

In addition to her work in federal district and appellate courts, Rachel practices in state courts, the Patent Trial and Appeal Board, and the International Trade Commission, and is admitted to practice before the US Patent and Trademark Office.

Additionally, Rachel maintains an active pro bono practice, which includes political asylum petitions, immigration appeals, Violence Against Women Act self-petitions, unemployment insurance representations, will drafting and end-of-life planning, patent prosecution and counseling for small entities, and case reviews for The Innocence Project. She has also served on the New York State Permanent Commission on Sentencing.

EXPERIENCE

Rachel's experience includes representing:

Trade Secrets

- Universal Alloy Corporation in a trade secret misappropriation defense regarding aluminum alloy components for the aerospace industry with US\$264 million in damages sought, resulting in a complete zero-liability jury trial win

- A major video game company in a trade secret misappropriation and copyright infringement case against a Fortune 500 company, resulting in a US\$500 million jury verdict following a three-week trial*
- A Fortune 500 retailer in defending against claims of trade secret misappropriation and breach of contract, which featured major victories on summary judgment and Daubert motions*
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- A prominent scientist in a multi-week trade secrets arbitration trial*

Patents

- Johnson & Johnson Surgical Vision, Inc. and its subsidiaries in a global patent and copyright infringement dispute against Alcon over competing laser eye-surgery technology, resulting in a favorable resolution just days before trial
- Abbott in a patent infringement win against its rival regarding Abbott's market-leading continuous glucose monitoring technology
- A large insurance provider in invalidating a patent asserted on Section 101 grounds at the motion-to-dismiss stage*
- A major cybersecurity company in multiple matters, including successfully opposing motions to dismiss on Section 101 and pleadings grounds*
- A leading roofing company in multiple actions, including achieving a favorable Markman ruling in a US International Trade Commission investigation that led to the investigation's termination and in defending multiple current patent infringement litigations*
- A food processing equipment manufacturer in securing a favorable settlement on the eve of trial*
- An oil and gas machinery manufacturer in asserting its patents in multiple litigations, resulting in favorable settlements*
- An active pharmaceutical ingredient manufacturer in a Hatch-Waxman litigation and in securing complaint dismissal at the Federal Circuit, resulting in new legal precedent*
- A brand-name drug client in an antitrust proceeding following settlement of a Hatch-Waxman case, securing the dismissal of sham litigation claims, followed by a favorable settlement*

**Matter handled prior to joining Latham*



Robert D. Carroll

Partner

Boston

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Rob Carroll is a first-chair trial lawyer with more than 20 years of experience. He is a partner in Goodwin's IP Litigation group, and is a member of the firm's Life Sciences Disputes group. World Trademark Review describes him as a "[t]errific advocate" with "a glittering track record in contentious mandates. He has the ability to filter down all possible arguments to the ones viable in court and can then use his superior judgment to pick a winning choice – being able to accurately evaluate the benefits of all positions is his main strength."

He has experience in intellectual property litigation and counseling, including trade secret, patent, trademark, copyright, false advertising, and unfair competition matters. He also has experience in complex antitrust and business litigation and arbitration, with a particular focus on the life sciences industry.

In 2011, Rob received the firm's Robert B. Fraser Pro Bono Award for his work providing pro bono legal services for asylum applicants and unaccompanied minors in immigration proceedings.

Rob leads the Litigation Department in Boston and is a former chair of the Attorney Review Committee.

REPRESENTATIVE MATTERS

Trade Secret, Copyright, Patent, False Advertising and Trademark Disputes

Rob has experience in trade secret, copyright, patent and false advertising disputes as well as trademark litigation, both in federal court and before the Trademark Trial & Appeal Board. His recent experience includes representing:

- Insulet Corporation in a trade secret jury trial victory against EOFlow Co. Ltd., one of the largest trade secret jury awards in the history of the DTSA, followed by a worldwide permanent injunction
- Zealand Pharma against Amyndas Pharmaceuticals in defense of alleged breach of confidentiality agreements and trade secret misappropriation related to complement-targeted therapeutics
- Palleon Pharmaceuticals against Aviceda Therapeutics in trade secret case concerning

therapies used to treat glycan-mediated disorders

- Corbus Pharmaceuticals against Venn Therapeutics in defense of alleged trade secret misappropriation claims concerning monoclonal antibody therapies aimed at inhibiting integrin $\alpha v \beta 8$
 - Varsity Brands in a 6-2 copyright victory before the U.S. Supreme Court in *Star Athletica, LLC v. Varsity Brands, Inc.*
 - B&B Hardware in a 7-2 trademark victory before the U.S. Supreme Court in *B&B Hardware, Inc. v. Hargis Industries, Inc.*
 - Honest Tea in defense of a false advertising class action
 - Nuance Communications, Inc. in multiple trade secret and non-competition disputes
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Business Disputes

Rob has experience in a broad range of business litigation and arbitration, with a particular focus on disputes for life sciences companies arising under patent licenses, joint development agreements, and supply, manufacturing and quality agreements. His recent experience includes representing:

- BeOne Medicines (f/k/a BeiGene) in an ICC arbitration against Bristol-Myers Squibb in a dispute arising from license and distribution agreement concerning oncology therapy, resulting in a recovery of approximately \$340 million by BeOne.
 - Intellia Therapeutics in a JAMS arbitration against Caribou Biosciences, in a dispute arising from license and royalty agreement concerning CRISPR/Cas9.
 - Radius Health, Inc. in an ICC arbitration against Ipsen Pharma, S.A. arising from a license and co-promotion agreement
 - Guerbet Ireland Unlimited in an ICC arbitration and parallel litigation against SpecGX, LLC arising from supply and quality agreements
 - Multiple life sciences companies in confidential arbitrations under the ICC, JAMS, and AAA arbitration rules
 - Investment funds in recovering more than \$900 million from the Republic of Argentina in what the *Financial Times* called the “sovereign debt trial of the century”
-

Antitrust Disputes

Rob's recent experience in antitrust litigation and government investigations includes representing:

- Teva Pharmaceuticals, USA and Barr Laboratories in defense of putative class actions

challenging settlement of Hatch-Waxman litigation concerning Aggrenox®

- Teva Pharmaceuticals, USA and Barr Laboratories in defense of putative class actions challenging settlement of Hatch-Waxman litigation concerning Solodyn®
- Royal Bank of Scotland and affiliates in *In re Credit Card Interchange Antitrust Litigation*
- Defendants in multiple confidential investigations before federal and state antitrust agencies

AREAS OF PRACTICE

Patent Litigation

- Trademarks

Antitrust & Competition

- Copyrights

Business & Commercial Litigation

- Patent Trial & Appeal Board

Complex Litigation & Dispute Resolution

- Antitrust Services for Life Sciences Companies

Intellectual Property

- Litigation

Patent Prosecution & Counseling

- Life Sciences & Technology Arbitrations

Trade Secrets, Employee Mobility &
Non-Competes

- Intellectual Property Litigation
- Mergers & Acquisitions

PROFESSIONAL ACTIVITIES

Rob serves on the board of directors of civil legal aid provider Greater Boston Legal Services. He is a member of the International Trademark Association, for which he serves on the Emerging Issues Committee and previously served on the U.S. Legislation and Regulation Committee and the U.S. Amicus Committee. He has provided pro bono legal services for numerous asylum applicants and unaccompanied minors in immigration proceedings.

PROFESSIONAL EXPERIENCE

Before joining Goodwin, Rob was a litigation associate at Debevoise & Plimpton LLP.

CREDENTIALS

Education

JD, 2001

Yale Law School
(Coker Fellow)

Artium Baccalaureus, 1997

Duke University
(summa cum laude, Phi Beta Kappa)

Clerkships

U.S. Court of Appeals for the Third Circuit, Honorable Edward R. Becker

Admissions

Bars

- Massachusetts
- New York

Courts

- U.S. Supreme Court
- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the District of Colorado
- U.S. District Court for the District of Massachusetts
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Western District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of Texas

RECOGNITION & AWARDS

Rob has been recognized by The Best Lawyers in America for his work in Copyright Law, Litigation –

Rob and Goodwin were recognized by the American Lawyer with the Grand Prize for Global Dispute of the Year (2016) for their representation of creditors in a sovereign debt dispute against the Republic of Argentina. Rob has been selected as a Massachusetts Super Lawyer by Law & Politics and Boston magazine in every year since 2015, and prior to that as a “Rising Star.” Rob is consistently ranked in the WTR-1000, World Trademark Review’s guide to the world’s leading trademark professionals. In law school, he served as Book & Case Notes Editor of the Yale Law Journal and as an Articles Editor of the Yale Journal of International Law.

PUBLICATIONS

Rob’s presentations and publications include:

- “AI & Drug Discovery Symposium: Revolutionizing the Future of Medicine,” Boston, MA, 2025
- “Three Steps to Manage Copyright Risk When Using Generative AI to Write Code,” Goodwin Insights, 2025
- “DC Circuit Holds That AI Cannot Be an Author Under Copyright Law,” Goodwin Alert, 2025
- “Supreme Court Curtails Disgorgement in Trademark Infringement Case,” Goodwin Alert, 2025
- “Defend Trade Secrets Act of 2016: Congress Enacts Federal Civil Trade Secret Protections,” PLI, 2016
- “*B&B Hardware v. Hargis Industries*: Supreme Court Gives New Life to Preclusion in Trademark Proceedings and Other Agency Litigation,” PLI, 2015
- “U.S. Trade Secret Law: Issues and Best Practices for Non-U.S. Companies,” Shenzhen, China, 2014
- “Patent Litigation Before the Judicial Panel on Multidistrict Litigation and Before MDL Courts,” PLI, 2013
- “*Assoc. for Molecular Pathology v. Myriad*: Isolated Human DNA is Not Patent-Eligible Subject Matter,” PLI, 2013
- “Recent Developments in Patent Law and Their Impact on Patent Litigation,” PLI, 2010-2012
- “*Caraco v. Novo Nordisk*: Supreme Court Alters the Landscape of Hatch-Waxman Litigation,” PLI, 2012
- “*Therasense*: Reshaping the Inequitable Conduct Doctrine,” PLI, 2011
- “10 Simple Steps to Ensure Software Licensing Compliance,” *IP Law360*, 2008

From 2002 to 2004, Rob edited revisions to *Copyright Law: A Practitioner's Guide* (PLI).

Roger J. McLaughlin

Associate



New York, NY



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Roger “R.J.” McLaughlin is a member of Pryor Cashman LLP’s Corporate, Data Privacy + Cybersecurity and Intellectual Property Groups.

R.J.’s practice focuses on assessing intellectual property, cybersecurity, and data privacy aspects of M+A and other commercial transactions where technology and IP assets or aspects are core deal drivers. He advises clients in the biotechnology, pharmaceutical, software, and other innovation-driven sectors on the acquisition, protection, and commercialization of IP, and compliance with data privacy, cybersecurity, and other regulatory frameworks.

He also has experience drafting and negotiating a wide range of complex commercial agreements, including licenses, clinical trial, SaaS/AI, manufacturing, development, and services. R.J. leverages his previous experience in biotechnology research, patent litigation and counseling, technology transfer, and advising entrepreneurs and early-stage ventures to address his clients’ needs in a thorough and efficient manner.

Before joining Pryor Cashman, R.J. was an IP associate at leading law firms in New York and Boston where his experience included representing:

- Public companies in the pharmaceutical, consumer goods, and food and beverage industries in strategic M+A transactions and joint ventures.
- Leading private equity sponsors in multimillion- and multibillion-dollar strategic transactions, including M+A, carve-outs, and financings across a diverse array of industries.
- A private biotechnology company developing specialized bioimaging solutions on matters relating to intellectual property and strategic collaborations.
- A global biotechnology company developing precision oncology therapies on matters relating to intellectual property, product development, and procurement.
- Pharmaceutical innovators in patent litigation under the Hatch-Waxman Act, including conducting pre-suit diligence and advising on patent prosecution strategy.
- Global pharmaceutical companies on freedom-to-operate and patentability matters.

As part of his practice, R.J. is active in pro bono matters that have included representing nonprofit organizations on trademark counseling and prosecution and commercial contracts, creating a custom services agreement for an independent graphic designer, and collaborating with a national team of lawyers on a civil rights lawsuit challenging prosecutorial practices in New Orleans.

Education

- Northeastern University School of Law (J.D.)
 - Concentrations in Intellectual Property and Innovation + Business, and Commercial Law
- Boston University (B.A. in Biology)
 - Specialization in Cell Biology, Molecular Biology + Genetics



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Education

M.B.A., The Wharton School,
University of Pennsylvania

B.S., Accounting,
Bucknell University

Designations

Certified Public Accountant (CPA)
Certified in Financial Forensics (CFF)

Practice Areas

Intellectual Property Disputes
Trade Secrets & Restrictive Covenants
Complex Business Litigation
Investigations
Transaction Disputes

Industry Focus

Aerospace, Defense & Transportation
Consumer, Retail, Food & Beverage
Healthcare & Life Sciences
Plastics & Packaging
Technology, Media & Telecommunications

Dana Trexler, a Managing Director in the Disputes, Claims, & Investigations group, is the National Practice Co-Leader for Stout's Intellectual Property Group. Ms. Trexler has nearly 30 years of experience providing litigation consulting services calculating and testifying to the damages in intellectual property (patent, trademark, copyright, and trade secret) and complex commercial disputes (breach of contract, employment, Lanham Act, post-acquisition, working capital, earn-out, unfair competition).

As a seasoned testifier, Ms. Trexler assists attorneys and clients to evaluate and prepare economic damages in the form of lost profits, reasonable royalties, unjust enrichment, disgorged profits, out-of-pocket costs, among other damage remedies. Ms. Trexler also has extensive experience assessing incremental costs and cost allocations. In addition to her testimony experience in legal matters before the court, Ms. Trexler represents clients in Alternative Dispute Resolution (arbitration) proceedings.

Ms. Trexler has testified as an expert witness in bench and jury trials in state and federal courts in the United States including the District of Delaware, Eastern District of Pennsylvania, District of New Jersey, Northern District of Illinois, Middle District of Florida, Middle District of Pennsylvania, and Western Division of Virginia. She has also testified in the Court of Chancery of the State of Delaware, and Superior Court of the State of Delaware.

Ms. Trexler's investigative accounting experience includes conducting fraud and forensic accounting investigations, health care fraud and abuse investigations, and contract compliance examinations ("royalty audits"); and preparing business interruption and property damage claims.

Ms. Trexler has consulted for clients in many sectors including: aerospace, biotechnology, consumer products; education; financial services; food and beverage; gaming; health care; high technology manufacturing; hospitality; media and entertainment; medical device; pharmaceutical; professional services; real estate; retail; software; and telecommunications, among others.

Prior to joining the firm, Ms. Trexler was a Partner at an advisory and accounting firm. Prior to that, she was a Principal in the Forensic Valuation and Litigation Services Practice of a regional accounting firm. Her background also includes 18 years at a Big 4 accounting firm, where she was a Director in the Forensic Services Group and assisted clients in litigation and contract compliance matters, as well as helped to establish and lead the Corporate Intelligence practice. A frequent speaker, Ms. Trexler has presented a range of forensic accounting and litigation topics to various professional organizations.

Ms. Trexler is a Certified Public Accountant (CPA) and is Certified in Financial Forensics (CFF). Ms. Trexler is also named in the IAM Patent 1000: The World's Leading Patent Professionals.