



## Micheal L. Binns

Partner, Atlanta Office Development Partner

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t 678.690.5703



Micheal Binns is a registered patent attorney practicing primarily in the area of intellectual property litigation. His experience includes the litigation, counseling, and prosecution of all forms of intellectual property related to a variety of industries and technologies, including tech, biotechnology, chemical, pharmaceutical, and telecommunications arts.

Micheal also has significant trial experience involving Hatch-Waxman litigation, including preparing fact and expert witnesses for trial testimony and for cross-examination. He prides himself on providing clients with a competitive advantage in sophisticated intellectual property matters.

Prior to practicing law, Micheal taught mathematics, biology, and chemistry at City Harvest Christian Academy in Yonkers, New York. While attending law school, he was president of the Black Law Students Association and a member of the Pepperdine national entertainment law moot court team. At Morgan State University, he served as president of the Inter-Residence Council and earned the title Mr. Junior Morgan State University.

Micheal is board chair of Page Turners Make Great Learners in Atlanta and an active board member with the Spruill Center for the Arts in Dunwoody, Georgia.

### REPRESENTATIVE EXPERIENCE

- Argued successfully for the invalidation of four patents related to drugs for a neurological disease. *Acorda Therapeutics, Inc., et al. v. Roxane Laboratories, Inc., et al.* (D. Del.).
- Achieved dismissal of a telecommunications carrier client in defense of a patent infringement suit involving MMS and ringtone functionalities (E.D. Tex.).
- Represented defendants in case tried in April 2012 where the trial court entered judgment in favor of defendants invalidating the asserted patent. The Federal Circuit affirmed the decision in 2013. *Teva Women's Health, Inc. v. Mylan Pharmaceuticals Inc. and Famy Care Ltd.* (D. N.J.).
- Represented defendants in Paragraph IV Abbreviated New Drug Application (ANDA) patent litigation. *Pfizer et al. v. Mylan Pharmaceuticals Inc. et al.* (D. Del.).



### ATLANTA OFFICE



### PRACTICE AREAS

Intellectual Property Litigation  
 Intellectual Property Litigation  
 Cybersecurity & Data Privacy



### EDUCATION

Fordham University  
 JD, 2008  
 Morgan State University  
 BS, *cum laude*, 2003



### ADMISSIONS

Georgia, 2012  
 District of Columbia, 2009  
 New York, 2009  
 New Jersey, 2008  
 U.S. Patent and Trademark Office



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- Represented defendants in Paragraph IV ANDA patent litigation. *Bristol-Myers Squibb Co. v. Mylan Pharmaceuticals Inc. and Matrix Laboratories Ltd.* (D. Del.).
- Served as counsel for numerous concluded ANDA litigation matters involving generic versions of drugs in the following therapeutic areas: women's health, ophthalmology, pain, neurology, mental health, gastroenterology, and preventative cardiac care.
- Experienced counseling clients on non-infringement and invalidity opinions.
- Experienced negotiating settlement and licensing agreements.

### CLIENT ALERTS

- "U.S. Supreme Court Opens Door on International Patent Infringement Damages," June 2018
- "New Proposal Would Create Consistent Standard Between USPTO and District Courts for Interpreting Patent Claims," May 2018
- "Textualism Is the Law of the Land in Georgia: What to Do About It?," December 2017

### PUBLICATIONS

- "What Potential Patent Reform Could Mean for Atlanta's Business Community," Atlanta Inno, September 2019
- "'Secret Sales' Before You Patent ... Think Again," Industry Today, February 2019
- "Manufacturing More Power for U.S. Patents," Industry Today, September 2018
- "Early-Development Strategy for PTE in Biologics Given Unknowns in the Law," Pharmaceutical Executive, July 2018
- "Public Notification of Data Breaches: Between a Rock and a Hard Place," The Daily Report, March 2018



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- "Textualism in Georgia: The Truth Lies in Judge McFadden's Dissent," The Daily Report, October 2017
- "Sovereign Immunity Is Absolute, and Textualism May Be Too at Georgia High Court," The Daily Report, July 2017
- "ACC's New Data Security Guidance to Law Firms: Be Careful What You Ask For," Corporate Counsel, May 2017
- "America Invents Act: A Sign of Challenges to Come," Fitzpatrick, Cella, Harper & Scinto's Prosecution Update, Vol. 1, Issue 3, April 2011
- "SDNY Rules Patents to 'Isolated' DNA Invalid," Fitzpatrick, Cella, Harper & Scinto's Prosecution Update, Vol. 1, Issue 1, June 2010

### SPEAKING ENGAGEMENTS

- "Panelist at THRIVE Program for Minority Students," Parker Poe's Raleigh Office, February 2019
- "Panelist at THRIVE Program for Minority Students," Parker Poe's Raleigh Office, January 2018
- "The Science of Law," Speaker, sponsored by DC Bar, IP Law Section

### HONORS

- *Georgia Super Lawyers* Rising Star, 2017-2019
- Fordham Journal of Corporate & Financial Law, Member

### MEMBERSHIPS

- American Bar Association
- American Intellectual Property Law Association
- State Bar of Georgia, Intellectual Property Section; Entertainment & Sports Section



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- New York Bar Association
- Page Turners Make Great Learners, Board of Directors, Chair, 2018-2020
- Spruill Center for the Arts, Board of Directors, 2014-present
- Fordham University School of Law Minority Mentorship Program

