

MEDICAL DEVICE AND TECHNOLOGY

Industry

PRIMARY CONTACTS

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With deep experience in the medical device area, Haynes and Boone attorneys help companies safeguard their core products and methodologies. We understand the highly competitive nature of this space and is fully committed to protecting our clients' assets and innovations and managing IP risk in commercial operations. Our experience in this area covers all aspects of the product life cycle and includes:

- Drafting durable patents capable of withstanding competitor challenges, including 750+ U.S. patent applications directed to medical devices filed in the last five years
- Providing due diligence in the context of mergers and acquisitions ranging from a few million to over a billion dollars.
 - We have handled numerous IP due diligence reviews related to medical device companies in the last five years, with a total value exceeding two billion dollars.
- Providing strategic guidance on domestic and international patent portfolio development and management, including the creation and use of patent landscapes to guide research and development
- Rendering product clearance opinions regarding competitors' intellectual property rights and guiding product design initiatives to better position the company against third-party risk
- Challenging and defending patents and post-grant patent proceedings before the USPTO, including inter partes review
 - Haynes and Boone was ranked as the 2nd most active firm for petitioners in patent trial proceedings in 2018 by Lex Machina in its annual patent litigation report.
 - In addition to being a high-volume filer, Haynes and Boone is among the top 10 law firms filing IPRs on behalf of the Petitioner, with an institution rate of 90% and a final decision rate of 91% for canceling claims (Lex Machina, 2019).
- Enforcing and litigating patents, trademarks, and trade secrets for medical device companies in United States courts as well as coordinating actions in foreign jurisdictions

Many of our lawyers bring prior industry experience gained while working in their respective fields as entrepreneurs, engineers, teachers, inventors, and in-house counsel including in

the life sciences industry and academia. We apply our technical know-how when working with our medical device clients, including:

- Cardiovascular, including transcatheter access and implantable devices (e.g. stents and valves)
- Dental and orthodontic
- Medical imaging, including ultrasound, OCT, X-ray, CT, and MRI
- Medical training devices
- Neurostimulation
- Ophthalmic surgical systems, implants, and diagnostic devices
- Orthopedics, used for spine, hips, knees, feet, and wrists
- Robotic surgery
- Women's health
- Skincare devices
- Laser devices, including ablative and femtosecond technologies
- Liquid drug delivery pumps and devices, including patch pumps
- Hearing aids

Related Practice Areas

We work with clients across all sectors of the medical device and technology industry to address their legal needs, including business transactions, regulatory compliance, government investigations, and patent litigation and counseling. Through our [Fraud, Abuse and Compliance practice](#), we regularly advise clients regarding anti-kickback, self-referral/Stark, related state laws and the mitigation of potential enforcement actions in the event of noncompliance.

Our [Technology Transactions practice](#) is dedicated to helping clients structure, negotiate, document and close a wide variety of commercial transactions involving technology and intellectual property. Our deep understanding across a broad range of technologies, coupled with a focus on our clients' unique business concerns, enables us to serve clients in a variety of industries, including medical devices and pharmaceuticals.

Our [Corporate practice](#) represents clients in a wide range of industries, and routinely plays a key role in helping our clients' achieve their business strategies, including assisting with the formation of companies and raising capital. We have represented entrepreneurs, start-ups, early-stage companies, and emerging growth companies in structuring, negotiating, and closing all forms of venture financings. In addition, we regularly provide clients with advice on entity formation, funding strategies, IP strategies, and advice on general corporate matters.