

## Scott Cunning to Speak at Financial Times Summit

---

April 23, 2018

---

**PRACTICES** Intellectual Property Litigation, Intellectual Property, Hatch-Waxman/ANDA, Biosimilars

---

Haynes Boone Partner Scott Cunning, the administrative partner for the firm's Washington, D.C., office, will speak May 10 at the *Financial Times* U.S. Healthcare & Life Sciences Summit in New York City.

Cunning will participate in a panel discussion titled: "Doing the Patent Dance in the Biosimilars Era."

Cunning helps generic pharmaceutical companies bring generic versions of branded products to market and helps technology companies navigate patent disputes in federal district courts. His experience has spanned a variety of technological areas, including semiconductor processing, digital data compression, implantable medical devices, medical imaging devices, electronic patient diaries and methods of drug delivery.

As a backdrop to the panel discussion, *Financial Times* explains that the passage of bipartisan generic drugs legislation in the 1980s was designed to speed up the introduction of cheaper medicine. Today, roughly one in eight U.S. prescriptions are filled with generic drugs that are a fraction of the price of the branded original, giving the cash-strapped healthcare system headroom to afford new prescription medicines. But today's best-seller lists, the *Financial Times* notes, are dominated by biological drugs that cannot be directly copied. Will nearly-the-same or "biosimilar" versions have the same deflationary effect?

A member of Haynes Boone's Biosimilars Practice Group, Cunning will be joined on the *Financial Times* panel by other pharmaceutical industry veterans. The panel will address such questions as:

- Are biosimilars "therapeutic equivalents" that should be prescribed in place of branded drugs, or should they be treated as new entrants that have to prove their worth to patients and doctors?
- Will biosimilars follow generics in exerting the same downward pressure on drug prices? If not, how can healthcare systems afford to pay for new medicines?
- And what of the future of the Patent Office's quasi-judicial process for invalidating intellectual property? Will the Supreme Court agree with petitioners who say it extinguishes private property rights when it rules on the matter in June 2018?
- If the Patent Office procedure does survive, will we see more attempts to skirt its authority, such as transferring patents to entities with sovereign immunity like universities and Native American tribes?

Further details about the summit and panel discussions can be found [here](#).

The Haynes Boone Biosimilars Practice Group offers litigation and counseling services to clients in the biotechnology industry, in particular to clients developing and/or marketing biosimilar drug products. The practice group is a natural extension of the firm's Hatch-Waxman Practice Group, which is experienced in representing clients in all aspects of the generic pharmaceutical business.