

Legal Analytics for ANDA Litigation

As an ANDA litigator at a pharma company or a law firm, you can now leverage Legal Analytics® to make data-driven decisions about Hatch-Waxman case strategy and tactics.

Lex Machina's unique platform contains data from over 2,400 ANDA cases filed since January 1, 2000. Attorneys and their staff can now access ANDA-specific case lists for a particular district, judge, party, law firm, attorney, or patent.

ANDA Cases

Our new case tag identifies patent infringement cases prompted by the filing of an ANDA or paper NDA by a prospective generic manufacturer.

It is based on:

- Pleadings documents (complaints and answers) and docket entry text referencing relevant keywords.
- Plaintiff and defendant entity data in cases where plaintiff is a brand manufacturer or defendant is a generic manufacturer, as well as declaratory judgment cases where the roles are reversed.
- Expert attorney quality checks, based on the tag's scoring.

To make our ANDA case set most precise and valuable, the tag omits cases involving investigational new drugs, over-the-counter

drugs, any process or product not requiring FDA approval, therapeutic biologic applications (biosimilars), or generics authorized by the branded drug maker.

ANDA Documents

Now you can use Lex Machina's document tags to generate ANDA-specific document sets. Our 230,000+ docket entries for ANDA cases include:

- 6,200+ complaints/counterclaims
- 4,900+ answers
- 4,000+ corporate disclosure statements
- 2,000+ dismissal orders
- 1,800+ opinions/decisions
- 650+ claim construction orders
- 600+ judgments
- 500+ summary judgment orders
- 375+ injunction orders
- 200+ transfer orders

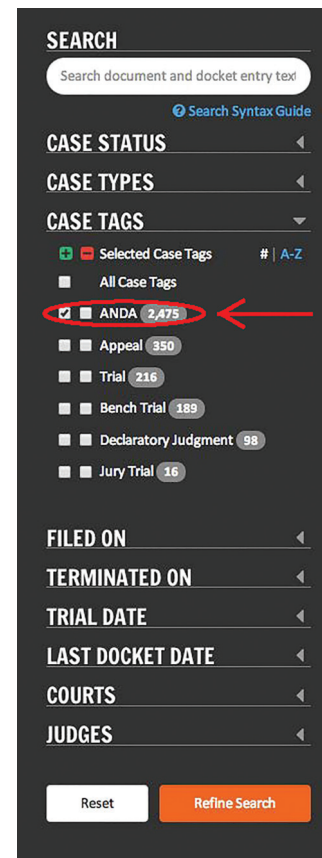
ANDA Use Cases

Companies Choose Outside Counsel

Pharma companies now have ANDA-specific data available to inform selection of outside counsel, such as which law firms have the most experience with a specific district, judge, opposing party or opposing law firm, or familiarity with a specific class of pharma patents.

Law Firms Pitch New Clients/Matters

Law firms and attorneys can quantify their ANDA case expertise and compare that experience with other firms and attorneys.



“I have been involved in ANDA litigation since 1990, when we were flying by the seats of our pants as to what strategies and tactics might work best in front of a specific judge. Then, we could only dream of what is a reality made possible by Lex Machina's ANDA tag today.”

Steven Moore, Partner, Kelley Drye

Choice of Venue and Motions to Transfer

Lex Machina's data enables even the most experienced ANDA litigator to make more informed decisions about where to file, or whether to seek transfer.

District-wide trends regarding grant or denial of orders for summary judgment, claim construction, injunctions, and other matters can now be analyzed just for ANDA cases.

While almost three-quarters of all ANDA cases filed since 2000 were filed in New Jersey (33%), Delaware (32%) and the Southern District of New York (9%), the data is equally valuable for cases filed in, or transferred to, districts that handle fewer ANDA cases, where experienced parties and attorneys may have less first-hand experience in those districts.

Pleadings, Motions, Claim Construction, Trial

ANDA case pleadings, discovery motions, dispositive motions, claim construction, expert testimony, and trial tactics can now be informed by the most on-point legal data available.

Peer Performance Benchmarking

Pharma companies can now benchmark elements of their ANDA case strategy against that used by their peers, whether brand or generic. Total case volumes, venues, settlement propensities, merits outcomes and other measures of strategic behavior can be quantified across our ANDA case set.

ANDA Case Data†

Districts

Open ANDA cases (475+):

- Delaware - 52% (17% of district's open patent docket)
- New Jersey - 25% (41% of district's open patent docket)
- Southern District of New York - 7% (21% of district's open patent docket)

All ANDA cases (2,400+, filed since 2000):

- New Jersey - 33%
- Delaware - 32%
- Southern District of New York - 9%

Districts with mid-sized ANDA dockets:

- 8 districts - 6 to 12 open ANDA cases
- 11 districts - 20 to 95 total ANDA cases

Law Firms*

25 or more open ANDA cases:

Law Firm	Open Cases
Morris, Nichols, Arsht & Tunnell	171
McCarter & English	68
Phillips, Goldman & Spence	57
Finnegan, Henderson	45
Winston & Strawn	42
Richards, Layton & Finger	41
Potter Anderson & Corroon	39
Young Conaway Stargatt & Taylor	36
Shaw Keller	32
Proctor Heyman	28
Rakoczy Molino Mazzochi Siwik	26
Morris James	26
Goodwin Procter	26

* PACER Delaware data for *pro hac vice* attorneys and their law firms may be incomplete.

Judges

Delaware – open ANDA cases:

- Gregory Sleet - 83
- Leonard Stark - 61
- Sue Robinson - 60
- Richard Andrews - 53

New Jersey – 10+ open ANDA cases:

- Mary Cooper - 16
- Joel Pisano - 14
- Jerome Simandle - 12
- Peter Sheridan - 12

Parties

25 or more open ANDA cases:

Company	Open Cases
Actavis (+subs)	97
Sanofi	76
Teva (+subs)	53
Mylan Laboratories	52
Sandoz	42
Par Pharmaceuticals	35
Apotex	34
Pfizer (+subs)	33
Astrazeneca	28
UCB Pharma	26
Takeda	25

† Data as of September 1, 2014



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