

Anita Spieth

Co-Chair, Intellectual Property
Litigation



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Practice Areas

Complex Intellectual Property Disputes
Life Sciences

Education

Harvard Law School
JD (2009)

Boston College
BA (2004) *summa cum laude*,
Phi Beta Kappa

Admissions

Massachusetts
U.S. District Court, Massachusetts
U.S. Court of Appeals, First & Federal Circuits

Anita Spieth, co-chair of Choate's IP Litigation Group, has more than 10 years of experience representing life sciences and technology companies in high stakes patent infringement, trade secrets, and other complex IP litigation. She provides an effective and user-friendly case management approach and counsels clients on litigation strategy to achieve their goals. Anita also represents clients in connection with *inter partes* review proceedings before the USPTO Patent Trial and Appeal Board, as well as in copyright issues (particularly related to software and artificial intelligence) and trade secret disputes.

In order to make her clients' lives easier, Anita takes tasks off of their plates and makes their worries her own. She gains a thorough understanding of clients' internal workflow so that her work product is immediately useful and does not require additional cycles. She speaks in clear and plain terms that clients and – importantly – judges and juries can understand.

By developing a global strategy to help clients manage risk and protect U.S. intellectual property while related cases proceed internationally, including directing EPO strategy and various litigations throughout the world, Anita and her team are experienced at mustering and managing various international law firms to ensure that international positions are consistent with those taken in the U.S. Her clients include Takeda, Biogen, EMC/Dell, Alarm.com, and Pegasystems.

Representative Engagements

- ***Biogen, Inc. and Biogen MA, Inc. v. Sandoz, Inc. et al. (D. Del.):*** Represent Biogen in biosimilar patent litigation under the Biologics Price Competition and Innovation Act (BPCIA) concerning TYSABRI® (natalizumab).
- ***Progenics Pharmaceutical, Inc. v. MIM Software:*** Represent Progenics in patent infringement lawsuit alleging infringement of 6 patents directed to methods of using machine learning to better diagnose and treat cancer.
- ***Ubiquitous v. Central Security Group:*** Lead counsel to defendant in patent litigation related to smart home technology.
- ***Triplet Therapeutics, Inc. v. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, (PTAB):*** Representing Patent Owner Louisiana State University and interested party Takeda Pharmaceuticals U.S.A., Inc. in defense of Louisiana State University's patent directed to oligonucleotide compositions targeting the DNA mismatch repair system for the treatment of associated DNA repeat expansion diseases.
- ***Shire v. CSL Behring LLC, D Del.:*** Counsel to Shire (now Takeda) in patent infringement action relating to use of biologic for treatment of hereditary angioedema. Advised Shire in successfully defending patents in multiple IPRs.

- **Central Security Group - Nationwide, Inc. et al. v. Ubiquitous Connectivity, LP (PTAB):** Representing petitioner Central Security Group in challenging patents related to the use of SMS (short message service) messages and cellular networks to control and monitor environmental devices.
- **Children’s Medical Center Corp. v. Celgene Corp. D Mass:** Represented Celgene in breach of contract litigation regarding exclusive license agreement related to cancer therapies.
- Advising biotechnology company regarding future biosimilar litigation and licensing opportunities.
- Advised clinical-stage biotechnology company, in view of competitor’s patents, on freedom-to-operate and litigation-planning strategy with respect to a biologic/medical device combination product.
- Represent intelligent security company and numerous authorized resellers in multiple patent infringement cases, pending nationwide. Represented same entities before the Patent Trial & Appeal Board.
- Represented technology company in numerous misappropriation of trade secret actions relating to enterprise security, eGRC implementations, and data storage technology. Cases also involved former employee’s violation of non-competition and non-solicitation agreements. Successfully pursued and obtained preliminary injunctions.
- Represented leader in production and supply of reagents for life sciences industry regarding theft of trade secrets by former employees and founders with respect to new company.
- Represented US clothing retailer against claims of copyright infringement involving use of patterned fabric in apparel products.

Publications and Presentations

- IP Guest Lecturer for the Isenberg School of Management at University of Massachusetts Amherst, 2020-present
- “If I Were a Judge... : Case Law Updates,” moderator, BIO IPCC, November 2024
- “Patent Implications of the Inflation Reduction Act,” panelist, BIO IPCC, November 2023
- “Patents, Drug Pricing, and Price Controls: Understanding How the Inflation Reduction Act (IRA) Will Impact The Value of Pharmaceutical IP,” panelist, ACI Paragraph IV Disputes Master Symposium, October 2023
- “Biosimilar Litigation: Where are we now?” moderator, BIO IPCC Fall Conference, November 2022
- IP Guest Lecturer for the Isenberg School of Management at University of Massachusetts Amherst, 2020-2022
- “Life Sciences IP Litigation Update,” panelist, Boston Bar Association, April 2021
- “Best Practices for Remote Proceedings,” webinar panelist, Boston Bar Association, May 2020
- “Accomplishing Your Deposition Goals,” webinar panelist, Practising Law Institute, March 2020
- “Trade Secrets in an Evolving Landscape: Practice Pointers for Biotech Patent Practitioners,” moderator, BIO IPCC Fall Conference, November 2018
- “Decision Makers,” speaker, Boston Patent Law Association, New Hampshire’s Arthur J. Gajarsa Inn of Court, the Boston IP Inn of Court, September 2018

- “2nd Circ. Set To Weigh in on CFAA Circuit Split,” co-author, *Appellate Law360*
- “Common Law v. UTSA: The Last States Standing,” co-author, *IP Law360*

Professional and Community Involvement

- Member, Boston Bar Association
- Member, Intellectual Property Inn of Court
- Elected Member, Parks and Recreation Committee of Lincoln, Massachusetts
- Board Member, Magic Garden Children’s Center

Recognition

- *The Legal 500: Next Generation Partner* (2017-2022)
- A World’s Leading Patent Practitioner by *IAM Patent 1000* (2024)
- *Massachusetts Super Lawyers Rising Star* (2013-2022)
- *Massachusetts Super Lawyers*