

Litigator of the Week Runners-Up and Shout-Outs

By Ross Todd

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► In a closely watched patent case in the decentralized finance community (or DeFi, for those of you in the know), a team led by Gibson, Dunn & Crutcher partners Josh Krevitt and Stuart Rosenberg and **Latham & Watkins** partner **Patricia Young** scored a defense win for Uniswap Labs and the Uniswap Foundation. U.S. District Judge John G. Koeltl in Manhattan this week granted their motion to dismiss infringement claims brought by Bprotocol Foundation and LocalCoin Ltd. under two related patents for a “constant product automated market maker” system. The judge found that the patents are directed at the unpatentable abstract idea of calculating currency exchange rates to perform transactions. The Gibson Dunn team representing Uniswap Labs includes partners Kate Dominguez, Ben Hershkowitz and Brian Rosenthal, of counsel R. Scott Roe and associates Ryan Jin and Evan Kratzer. The Latham team representing the Uniswap Foundation includes **Gabriel Bell**, **Sean Gloth** and **Di Ai**.

► Shout-out to a team at **Latham** that helped Pacira BioSciences Inc. fend off securities litigation filed in the wake of an adverse court ruling concerning a patent covering its key nonopioid pain management drug, Exparel. Plaintiffs claimed that Pacira failed to disclose the “devastating” effects of a June 2023 claims construction ruling before the patent was ultimately invalidated in August 2024, leading to a 47% single-day drop in the company’s stock price. But U.S. District Senior Judge Stanley Chesler in New Jersey granted the company’s motion to dismiss with prejudice last week on all grounds—falsity, scienter and materiality. “Securities laws do not require issuers like defendants to characterize interim rulings or to concede defeat before a court has issued a ruling on the actual issue in the case,” the judge wrote. The Latham team includes partners **Kevin McDonough** and **Jooyoung Yeu** and associates **Nicholas Rosellini**, **Jessica Hui** and **Steven Van Iwaarden**.