

# Latham Lands Pharma Patent Litigator Adam Perlman From Williams & Connolly

The former co-chair of Williams & Connolly's patent litigation practice has counted Eli Lilly and Bayer among his clients. Latham leaders say his arrival will cement the firm's transition to the brand side of Hatch-Waxman litigation.

BY **SCOTT GRAHAM**

Latham & Watkins has hired life sciences patent litigator Adam Perlman from Williams & Connolly, a rare lateral move from the venerable D.C. firm to a competitor.

Perlman, 47, has been co-chair of the firm's patent litigation practice for the last five years, representing the likes of Eli Lilly and Co. and Bayer in trials over pharmaceuticals that generate \$1 billion or more in annual sales.

Leaders of Latham's intellectual property litigation practice say Perlman brings not only first-chair experience in a booming area of patent law. He'll also help cement the firm's transition to representing branded drugs exclusively in Hatch-Waxman litigation, stemming from the Hatch-Waxman Act that established the framework for generic drug makers to challenge the validity of patents related to the brand-name drug.

"Adam is the guy we're bringing in who's never done generic work as a partner" Latham partner Max Grant said. "He wouldn't have come if we weren't committed. It's a statement to the marketplace that we're serious about this."



**Adam Perlman, Latham & Watkins partner**

"I'm flattered they would say that. I hope they're right," Perlman said. "I'm excited about the possibility of enhancing Latham's offerings to those clients."

Latham historically has represented both branded and generic drug makers in disputes over the validity of pharma patents. The mix has trended more toward brands over the last several years as the company took on some **high-profile biosimilar cases** and "**brand-on-brand**" litigation.

Latham partner Kenneth Schuler said Perlman remarked on the amount of branded work Latham is doing in their prehire discussions. But that was more of a response to the market than the result of a strategic push, Schuler said. “Now we’re in a position to make that conscious choice.”

Schuler said that while the lines between brands and generics have been blurring somewhat in recent years, taking a clear position can make a firm more attractive to some clients. Plus, “there’s a sense you’re building expertise every time you’re representing that side,” he said. A generic defendant can win by invalidating a patent in any number of ways. “When you’re the patentee, you have to run the table,” he said.

Perlman said he will continue representing Eli Lilly in

its litigation over its anti-cancer drug Alimta, for which he won **favorable rulings last year** at the U.S. Court of Appeals for the Federal Circuit. He said he could not comment yet on other clients.

He said he considers Williams & Connolly an “excellent firm” and was “not thinking about making a switch at all” when a headhunter proposed he have lunch with Latham partner Grant last March. “I’d been sort of following Latham’s practice development from afar and admiring what they’ve been doing. They’ve been adding a lot of first-chair patent litigators, a lot of them around my age.

“Over the course of 2019 it went gradually, and we ended up here today,” he said.

David Callahan, global chair of the firm’s IP litigation practice said in a written statement

that Perlman is “known for successfully representing some of the world’s leading drug innovators in complex Abbreviated New Drug Application litigation. His experience complements Latham’s formidable courtroom reputation and adds further breadth to our life sciences platform.”

John Manthei, global co-chair of Latham’s life sciences group, said the addition of Perlman “will further fortify our ability to offer full-service, best-in-class representation to our innovative pharmaceutical and biotech clients. We are thrilled to have him on board.”

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