



LAW360

2018 Rising Star Amanda Hollis

Kirkland & Ellis LLP partner Amanda Hollis has helped the firm notch victories for clients in various high-stakes patent cases, including helping C.R. Bard and Bard Peripheral Vascular Inc. snag a trial win in a case from W.L. Gore & Associates Inc., earning her a spot as one of six intellectual property law practitioners honored by *Law360* as Rising Stars.

Her biggest recent case:

Hollis represented C.R. Bard Inc. in a suit brought by W.L. Gore alleging C.R. Bard's ultrathin stent graft device infringed its patent. In March 2017, a federal jury determined that C.R. Bard didn't infringe the patent, finding it was invalid over prior art.

"There was a lot of pressure in this type of case because there was a lot of exposure for the client in terms of the amount of damages the plaintiff was seeking against our client," she said. "Knowing that we would only be in damages if there was a loss on liability added to my personal pressure, because I was going to be leading up the damages presentation if we ever got there."

Her proudest moment:

Hollis represented Abbott Laboratories in a long-running patent fight with Enzo Life Sciences Inc.

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over DNA testing. In August 2017, Abbott scored a win in the case after a Delaware federal judge ruled that claims in a patent Abbott was accused of infringing were invalid because they didn't adequately explain how to make the invention.

"It was an extremely complex case considering the number of patents, products and legal arguments involved and the amount of paper involved, and we were able to identify overarching themes that anyone can understand, including contradistinctions between the plaintiffs' own arguments, and ultimately utilized those for a

successful win," she said.

What motivates her:

Hollis said she was excited to find out there was a profession that could combine her undergraduate studies — she studied biology and chemistry — and also the thrill of competition, having been a competitive track runner.

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On potential changes to the practice area:

Hollis said a possible change may come in the next couple of years with regard to so-called prior invention defenses. She said patents applied for prior to March 16, 2013, can be voided if it can be proved the invention came from someone else first.

“Current litigation often involves patents applied for a long time ago, at a time when scientists often recorded their thoughts on paper, and people weren’t taking pictures of and emailing about everything they did,” she said. “As a result, records of a prior invention are often lost by the time you need them in a litigation.”

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time when electronic communication and frequent picture taking was more the norm, and as a result, we could see an increase in prior invention type defenses for qualifying

patents,” she said. “Then later, we should see a drop-off, as the defense generally will not be available for patents filed after March 16, 2013.”



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