



Howard S. Suh

Partner

New York, NY

Tel: 212.878.7914

Fax: 212.692.0940

hsuh@foxrothschild.com

Howard is a seasoned intellectual property litigator who has led some of the largest patent cases in the pharmaceuticals and biotechnology sectors.

He coordinates appellate litigation before the Federal Circuit and the U.S. Supreme Court, and his patent litigation representations extend to a variety of other fields, from medical devices to material science.

Biotechnology clients rely on Howard for strategic advice on patents related to some of the most important biopharmaceuticals, including recombinantly produced insulin, human growth hormone (HGH), tissue plasminogen activator (t-PA), erythropoietin (EPO), granulocyte colony-stimulating factor (G-CSF) and chimeric antibodies. Howard also has substantial experience in agricultural biotechnology, having represented multinational crop-sciences companies in patent litigation involving genetically modified corn and soybean seeds.

For pharmaceutical clients, Howard has handled a wide variety of patent litigations involving small-molecule drugs in fields ranging from oncology and immunology to cough-and-cold products.

Howard also assists clients in corporate transactions and acquisitions, performing due diligence of patent portfolios, evaluating threats from competitive patents and preparing agreements.

Representative Matters

ANDA Patent Cases

- Lead counsel representing major generic companies involving blockbuster multiple sclerosis drug
- Lead counsel representing major generic company involving leading drug indicated for depression
- Co-lead counsel representing top generic company involving pain management therapy resulting in the invalidity of abuse-resistant formulation patents
- Co-lead counsel representing top generic company involving pain management therapy involving low impurity patents
- Co-lead counsel representing top generic company involving formulation
- Co-lead counsel representing major branded company involving kidney cancer therapy and formulation, resulting in favorable settlement
- Co-lead counsel representing major branded company involving transplant rejection drug, resulting in favorable judgment after trial



- Lead counsel representing major branded company involving over the counter cold and sinus formulation, resulting in favorable settlement without generic entry

Biotechnology Patent Cases

- Defense of ITC patent infringement action representing global pharmaceutical company involving erythropoiesis stimulating agents, leading to jury trial, and worldwide settlement
- Jury trial representing plaintiff on patents covering NF-kB pathway
- Settlement for patentee covering pioneering inventions relating to bacterial expression systems
- Defense of patent infringement on jury verdict related to recombinant production of antibodies
- Defense of patent infringement on summary judgment related to Fabry disease drug and homologous recombination technology
- Settlement representing patentee on inventions covering recombinant tissue plasminogen activator
- Appeal reversing lower court relating to recombinant human growth hormone
- Settlement after jury verdict involving recombinant human growth hormone
- Settlement of patent infringement claims involving recombinant insulin

Crop Science Patent Cases

- Global settlement representing major chemical and life sciences company following jury trial involving transgenic herbicide tolerant soybeans
- Settlement on the eve of trial representing major chemical and life sciences company involving genetically modified insect resistant corn
- Defense of patent infringement claims representing major chemical and life sciences on summary judgment related to transgenic insect resistant crops
- Settlement representing major chemical and life sciences following jury trial involving transgenic insect resistant corn

Medical Devices Patent Cases

- Co-lead counsel defending major industry player in the field of laser hair removal resulting in successful settlement
- Co-lead counsel representing patentee in the field of laser acne and wrinkle removal resulting in successful settlement
- Global settlement representing major chemical and life sciences company in the field of ultrasound and CT scan technology

Before Fox Rothschild

Prior to joining Fox Rothschild, Howard was a partner in the intellectual property practice of a global law firm.

Practice Areas

- Intellectual Property
- IP Litigation
- Life Sciences
- Patents



Bar Admissions

- New York

Court Admissions

- U.S. Court of Appeals, Federal Circuit

Education

- New York University School of Law (J.D., 1995)
- Columbia University (B.A., 1990)

Languages

- Japanese
- Korean

Publications

June 2020

Illumina v. Ariosa: Carving Out a New 'Bucket' of Section 101 Patent Eligible Claims

January 1, 2014

Investigational New Drug (IND) and New Drug Applications (NDA)