

## Law Firm Profile: McAndrews Held & Malloy

*Friday, May 12, 2006* --- Intellectual property boutique firm McAndrews Held & Malloy has come a long way from its humble beginnings. From a handful of partners and an office full of rented furniture, the firm has grown to an IP powerhouse that has taken on all the major firms in the country, and won.

Based in Chicago, the firm has built a reputation for IP litigation, including federal court cases, suits before the U.S. International Trade Commission, and arbitrations between companies.

But McAndrews wasn't always so renowned. Founded in 1988, the firm started out with 6 attorneys and an office filled with rental furniture. The firm grew quickly, however, as news of its successes spread and grabbed the attention of clients.

Currently the firm counts over 80 attorneys, and no longer has to rent its conference room.

McAndrews has held its own against IP groups at most of the country's biggest law firms, scoring victories against firms like Winston & Strawn, Robbins Kaplan, Quinn Emmanuel and Jones Day, among numerous others.

Contributing to the firm's success is the high level of expertise among its attorneys, said founding partner Timothy Malloy.

"Every attorney here has an engineering or science background, many with degrees that go all the way up to Ph.D. level," Malloy said. "It helps to know the territory to speak the lingo. You get to a victory by reducing complex concepts to simple, understandable terms."

And the expertise of McAndrew's lawyers has paid off in several high-profile cases.

The firm negotiated one of the largest IP settlements of all time, scoring a \$166 million victory for client Advanced Cardiovascular Systems Inc.

In the case, an arbitration panel ruled that stents and angioplasty catheters manufactured by Medtronic infringed an ACS patent. The court ordered a permanent injunction against Medtronic and awarded ACS \$166 million in damages.

McAndrews also represented medical device maker Stryker Corporation in a variety of matters, several of which resulted in summary judgments of non-infringement.

In a case brought against Stryker by C.R. Bard Inc. and Davol Inc., the court entered a final judgment against the two plaintiffs after agreeing that the patent-in-suit could not be interpreted broadly to cover Stryker's wound care technology.

In a similar action, McAndrews successfully litigated for Stryker a case filed by industry rival Norian Corporation, in which Norian asserted several patents for bone cement technology. One of the patents in question was deemed invalid, and a district court granted Stryker's motion for summary judgment of non-infringement on the other.

After an appeal to the U.S. Court of Appeals for the Federal Circuit resulted in a remand, the lower court once again ruled in favor of Stryker on both patents.

The firm also counts companies like Cardinal Health, Guidant Corp., Abbot Laboratories, as well as several more in the medical device, chemical and chemical engineering, biotechnology and pharmaceutical, electronics, and mechanical systems industries.

McAndrews attorneys supplement their technical backgrounds with a willingness to work long, hard hours on their cases.

In one case, one of the firm's clients had been hit with a patent infringement suit and a demand for a permanent injunction. When the firm received word of the suit on a Friday afternoon, the attorneys put their weekend plans on hold, rolled up their sleeves and got to work.

After 50 straight hours of work, the firm got the response in. In the subsequent hearing, the judge granted a preliminary injunction against their client, prompting the McAndrews lawyers to once again dive in over the weekend, which this time resulted in a denial of the injunction.

Malloy, who has seen the firm grow from occupying part of one floor in a Chicago office building to taking over three entire floors, attributes the firm's success to the dedication of its attorneys.

"We feel pretty blessed," he said. "Part of our success is attributable to good luck, but part is due to extremely motivated, hard-working attorneys."

And the attorneys at McAndrews feel blessed as well, according to the book *America's Greatest Places To Work With A Law Degree*. The firm was one of three IP boutique firms named to the list.

Looking ahead, Malloy said that McAndrews hopes to continue expanding, garnering more clients in diverse practice areas and recruiting more top-notch attorneys.

"Growth is always a risk, but we hire with the idea that our attorneys will be

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there with us for the long term,” he said. “You’re taking a risk, but I think the risks of growing are lower than a ‘pull your jacket over your head to protect yourself from the elements’ approach.”

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