

Perkins Coie Lawyers Secure International Trade Commission Win for Gator Bio Inc.

WASHINGTON, D.C. (March 13, 2024)—Perkins Coie is pleased to announce that a trial team of intellectual property lawyers secured a complete victory before the U.S. International Trade Commission (ITC) resulting in an initial determination of "no violation" for firm client Gator Bio Inc. in a case related to biolayer interferometry (BLI) products. The team prevailed on noninfringement and lack of technical domestic industry on multiple independent grounds.

Gator Bio, based in Palo Alto, specializes in making BLI instruments and fiber-optic probes that use changes in optical interference patterns to measure the concentrations of various analytes in biological samples and analyze more complicated reaction dynamics in real time. Gator Bio's products have applications in medical research, including the development of antibody therapies and gene therapies.

The four-patent investigation, initially assigned to Chief Administrative Law Judge (ALJ) Clark Cheney, began in October 2022, and was later reassigned to ALJ Doris Johnson Hines in February 2023. In June 2023, ALJ Hines ruled that the asserted claims of the patent with the longest remaining life were invalid as indefinite, and the remaining three patents were terminated from the investigation. Two months later, however, the Commission chose to reverse ALJ Hines' indefiniteness ruling over a dissent, and the matter proceeded to an evidentiary hearing on the sole remaining patent in late October 2023. Following post-hearing briefing, in which the Commission Investigative Staff supported Gator Bio's noninfringement defenses among others, ALJ Hines issued an initial determination of no violation in favor of Gator Bio.

The Perkins Coie team that successfully represented Gator Bio was led by partner [Hari Santhanam](#) and included partner and co-chair of the firm's International Trade Commission litigation practice, [Veronica Ascarrunz](#), senior counsel [Evan Day](#), and associates [Hessam Gharaviram](#) and [Michelle Yocum](#). Also working on the case were partner [Jim Valentine](#).

The internationally recognized [Intellectual Property practice](#) at Perkins Coie consists of more than 275 lawyers and agents in the United States and Asia, over 80 percent of whom have degrees in science, technology, engineering, and math (STEM), including 60 with STEM master's degrees and 30 with Ph.Ds. Perkins Coie's IP lawyers provide innovative, holistic counsel at every stage of IP protection and development.

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