

APPELLATE **HOT LIST**

| A SPECIAL REPORT

When the stakes were high, the 20 law firms featured in this year's special report delivered—winning big in federal and state appeals courts across the country. They won landmark U.S. Supreme Court decisions on closely watched cases including those over affirmative action, patent infringement and a labor dispute. They also represented some of the most well-known companies in the land, among them Bank of America Corp., Chevron Corp. and the National Football League. These are their stories.

Morrison & Foerster

From patent fights to record-setting class actions, appellate lawyers at Morrison & Foerster pride themselves on their ability to tackle any subject.

“Our strength lies in the diversity of work we do,” said Joseph Palmore, who co-heads the nine-lawyer appellate group with Deanne Maynard.

“We’re able to come in and offer a fresh, objective look at the record ... and re-position the case in the best possible light for appeal,” Maynard said.

Those skills were evident in the firm’s win on behalf of Immersion Corp. before the U.S. Court of Appeals for the Federal Circuit in June.

The company, which specializes in digital touch technology, lost at the district court level in a decision that would have changed the rules for granting “continuation” patent applications.



JOSEPH PALMORE



DEANNE MAYNARD

Had the ruling stood, the impact would have gone far beyond Immersion, putting tens of thousands of other patents in jeopardy.

Part of the appellate strategy was “to make sure the court understood quite clearly what the consequences were,” said Palmore, who argued the case with partner Marc Hearn.

Another big win was on behalf of LexisNexis Group in upholding what the firm says is the largest settlement class

ever certified—200 million individuals.

In the face of vocal objectors, Palmore and Hearn defended the settlement as fair before the U.S. Court of Appeals for the Fourth Circuit and against Supreme Court review.

Morrison & Foerster is also counsel in a cutting-edge case that’s now before the U.S. Supreme Court on cross petitions for cert.

It’s the first case to interpret the Biologics Price Competition and Innovation Act. Maynard, Palmore and Hearn represent Sandoz Inc. in a fight against Amgen Inc. over the right to product a biosimilar version of a drug that can help prevent infections in cancer patients.

Stay tuned—the U.S. solicitor general and multiple amici have weighed in as the high court in January decides whether to review the case.

—JENNA GREENE