

4-Partner IP Litigation Team Decamps Milbank for Orrick in Southern California

Orrick has filled a gap in its IP litigation practice in the life sciences sector with a team, originally formed at Irell & Manella, that represents Genentech and Gilead Sciences.

By Jessie Yount

What You Need to Know

- Orrick hired a four-partner IP litigation team in Southern California with clients such as Genentech and Gilead.
- The team previously jumped to Milbank from IP litigation boutique Irell & Manella in 2019.
- The move fills in a gap in Orrick's IP litigation practice, which is already well-known in tech, in the life sciences sector.

As intellectual property demand swells, Orrick, Herrington & Sutcliffe has added a four-partner IP litigation team from Milbank that represents life sciences leaders such as Genentech and Gilead Sciences.

David Gindler, the leader of Milbank's IP litigation and licensing practice, and Gary Frischling, Lauren Drake and John Lu joined Orrick in Southern California, filling in a missing piece in the firm's IP



(Top L-R) David Gindler, Gary Frischling (Bottom L-R) Lauren Drake and John Lu of Orrick.

litigation practice in the life sciences sector.

“This group is a complete package — they practice at the top of the game and have a stellar record in terms of client results — we know that from having practiced alongside each other,” said Clem Roberts,

the leader of the IP business unit at Orrick.

“They clearly operate as a team and love what they do, and they add two rising stars in Lauren and John who we believe will be future leaders at our firm and in the IP bar,” Roberts said.

The move comes as the market for IP talent remains red-hot. Morrison & Foerster said it would merge with litigation boutique Durie Tangri last month, while Cooley and Morgan, Lewis & Bockius recently brought on talent from Keker, Van Nest & Peters and Duane Morris on the West Coast.

As for Orrick, the group addition reflects the continuation of a strategy that began in 2019, to build a holistic practice for the life sciences sector as an extension of its technology practice. The firm launched in Boston that year because of the sector-focused talent in the market.

“We were deliberate in investing first on the corporate side,” Roberts said, and then adding adjacent sector-focused skill sets such as privacy, licensing and patent prosecution. “This laid the foundation in terms of client relationships and a holistic offering to attract the very best in IP litigation and to round out the roster.”

Since then, Orrick has added 22 life sciences partners in transactional, regulatory and litigation areas, and advises more than 500 companies in the sector. “Frankly, we’ve been surprised and delighted by the

pace at which this vision has come together,” Roberts said.

The firm’s sector strategy was a major draw, according to Gindler, who said the team wasn’t looking to move when it was introduced to Orrick. The group has practiced together for more than a decade, and jumped to Milbank from IP boutique Irell & Manella in 2019. Drake and Lu began their careers at Irell and made partner in just seven years ahead of the move to Milbank.

“Orrick is unique among large, multi-practice law firms,” Gindler said, with a broad IP practice that spans patent office proceedings, district court and International Trade Commission disputes. It also offers key disciplines such as corporate governance, cybersecurity, technology transactions, licensing and patent prosecution.

“To bring that all together in one firm — that speaks loudly about Orrick’s focus on serving clients in technology and innovation markets,” Gindler said, noting the team expects many of its clients to follow them.

Gindler previously helped City of Hope National Medical Center win a \$302 million verdict for breach of research and license agreement and helped

another client defeat a \$217 million damages claim where liability had already been established.

The group has worked on numerous high-stakes disputes for technology and life sciences clients, including ZOLL Medical, Ferring Pharmaceuticals, St. Jude Medical and Rosenberger Asia Pacific as well as emerging companies such as Ariosa Diagnostics (acquired by Roche) and Tris.

It arrives as Orrick sees significant demand for IP litigation, driven by tech and biotech innovations as well as an increase in litigation funders. In recent years, the IP litigation practice has led matters for Sonos, Oracle and Micron, while its appellate team has won life sciences cases for Gilead, Kite Pharma and Johnson & Johnson.

“IP litigation is one of the busiest areas in the firm — with 14 trials on the docket, including some before the ITC’s rocket docket, and numerous appeals, which we are handling in collaboration with Josh [Rosenkranz] and our appellate team,” Roberts said.

And the firm doesn’t expect demand to slow.

“No one is taking a long vacation,” Gindler said. “We’re really busy.”