



## JANINE M. SUSAN, PH.D.

### OF COUNSEL

Boston, MA

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Janine Susan has over two decades of experience as an intellectual property lawyer skilled in devising and implementing global intellectual property strategies for life sciences companies.

She is experienced at preparing and prosecuting domestic and foreign patent applications in the biotech, life sciences and chemical fields, including synthetic molecules (small molecules) and biologics (large molecules). Drawing on her knowledge and experience in the biology, chemistry and biochemistry fields, Janine evaluates patent portfolios and performs freedom-to-operate assessments, provides counseling and creative solutions for patent prosecution strategies, and regularly authors noninfringement and invalidity opinions.

Janine serves as a business partner for clients providing IP legal advice and risk assessment for companies evaluating collaboration, divestiture, and merger and acquisition opportunities. She has also been recognized for formulating innovative IP procedures and setting the standard for best practices.

### BACKGROUND

Prior to joining Armstrong Teasdale, Janine was a partner at a Boston-based law firm.

### EDUCATION

- Boston College Law School (J.D., 2001)
  - BC Law online IP Journal (Associate Editor/Writer, 2000-2001)
  - Presidential Scholarship
- State University of New York at Stony Brook (Ph.D., 1997)
  - Biochemistry and Molecular Biology
  - Exemplary Teaching Award
  - Graduate Student Association, Delegate (1993-1995)
- Millersville University of Pennsylvania (B.S., *with honors*, 1986)
  - Chemistry
  - Biology Minor
  - Laboratory Assistant – Microbiology

### PROFESSIONAL ACTIVITIES

- Worcester Polytechnic Institute Venture Forum, Program Committee (2009-

### SERVICES AND INDUSTRIES

Intellectual Property

Patent

Health Care and Life Sciences

Biotechnology

Cannabis and Hemp Law

Agribusiness and Food

### ADMISSIONS

Massachusetts

U.S. Patent and Trademark

Office

2014)

- Boston Patent Law Association (2000-present)
- Boston Bar Association (2002-present)

#### **CHARITABLE AND CIVIC INVOLVEMENT**

- Irish Cultural Center of New England (2008-present)

#### **ACCOLADES**

- Women Worth Watching in STEM, *Profiles in Diversity Journal* (March 2017)

## **EXPERIENCE**

#### **Patent Portfolio Evaluations for Pharmaceutical Company**

Evaluated patent portfolios and performed freedom-to-operate assessments on ribonucleic acid/lipid nanoparticle (RNA/LNP) technologies of multiple emerging companies to arm a large, international pharmaceutical company with strong negotiation positions to complete mergers, acquisitions or business development deals.

#### **RNA/LNP Landscape Analysis for Partnership, Acquisition Potential**

Analyzed the ribonucleic acid/lipid nanoparticle (RNA/LNP) landscape to assess the IP positions of major companies in the field and to identify potential companies for partnering or acquisition.

#### **Counsel Regarding COVID-19 Vaccine Patent Application**

Provided counseling and creative solutions regarding prosecution strategy related to a COVID-19 vaccine patent application in view of various business agreements with a research institution and attendant Bayh-Dole considerations to promote business development.

#### **IP Due Diligence for Life Sciences Company**

Performed IP due diligence and authored multiple noninfringement and invalidity opinions to position a small life sciences company developing and marketing biological wound healing materials for a possible IPO and eventual acquisition for \$300 million, plus an additional \$100 million upon reaching certain growth milestones.

#### **Drafted IP Agreements for University**

Evaluated and drafted IP licensing agreements, research and collaboration agreements and material transfer agreements for a large U.S. university.

#### **Advised University on Inventorship Determination in Dispute**

Advised a large U.S. university regarding inventorship determination in a disputed matter with a collaborating university.

#### **IP Terms for Collaboration Between Chemical, Cosmetic Companies**

Negotiated IP terms for collaboration agreements between a chemical company providing materials and know-how and an international cosmetic company looking to develop new products.

#### **Opposition Proceedings, Strategy Relating to Diagnostic Assays for Blood Disorders**

Initiated and defended European opposition proceedings in conjunction with European

counsel against a large, international medical diagnostics company and played a leading role in developing strategy and providing support during oral opposition and appeal proceedings in relation to complex diagnostic assays for blood disorders.

**Noninfringement, Invalidity Opinions for International Chemical Company**

Authored multiple noninfringement and invalidity opinions related to patents directed to chemical compositions for a large, international chemical company specializing in fuel additives.

**Counseled on FDA Labeling, Record Keeping Regulations**

Advised a medical device manufacturer regarding complying with FDA regulations related to labeling and record keeping for medical devices.

**Advised Nonprofit on Complying with FDA Clinical Trial Regulations**

Advised a nonprofit research institution regarding complying with FDA regulations related to the duties and responsibilities of researchers involved in clinical trials.