

Orion Armon

Partner



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Colorado

Intellectual Property
 Life Sciences IP Litigation
 Intellectual Property Litigation
 Patent Office Litigation
 Medtech
 Internet and Social Media
 Software

Orion is an experienced trial lawyer who focuses on multivenue, complex patent litigation matters in US district courts, at the US Patent and Trademark Office's Patent Trial and Appeal Board (PTAB), and before the US Court of Appeals for the Federal Circuit. Orion has litigated cases involving ophthalmological stents, occlusion catheters, blood glucose monitoring systems, monoclonal antibodies for treating solid tumors and cancers of the blood under the abbreviated pathway for biosimilars via the Biologics Price Competition and Innovation Act (BPCIA), hydrogel surgical adhesives and other medical devices, and computer hardware and software technologies.

Orion's litigation victories before the Federal Circuit and PTAB have changed the law. Most notably, as lead counsel for Enfish, Orion developed the litigation and appellate strategy and argued the appeal that led to the plaintiff's victory over Microsoft in *Enfish, LLC v. Microsoft Corp.*, 2015–1244 (Fed. Cir. 2016). The *Enfish* decision helped settle the law on patent eligibility under 35 USC § 101 and is one of the most cited Federal Circuit precedents since 2016.

Orion focuses on high-stakes life sciences intellectual property litigation disputes in the biotech, pharma, medical device and software sectors. He is a frequent lecturer on Patent Office post-grant proceedings, as well as IP and patent matters.

Prior to attending law school, Orion worked as a business consultant for Accenture, where he specialized in financial system implementations and ecommerce software.

Orion's representative patent litigation cases include serving as:

- Lead trial counsel to Sight Sciences in *Sight Sciences, Inc. v. Alcon Inc., et al.* (US District Court for the District of Delaware and Patent Trial and Appeal Board), patent litigation involving ophthalmological stents for lowering intraocular pressure
- Lead counsel to Certus Critical Care in *Prytime Medical Devices, Inc. v. Certus Critical Care, Inc.* (U.S. District Court for the District of Delaware), patent and false advertising litigation involving inflatable occlusion catheters for halting blood loss in emergency situations
- Lead trial counsel to Intuity Medical in *Heritage IP LLC v. Intuity Medical, Inc.* (U.S. District Court for the District of Delaware), patent infringement litigation over blood glucose monitoring system
- Lead counsel to Stryker in *Moxchange LLC v. Stryker Corporation* (U.S. District Court for the Northern District of Illinois), patent litigation over Stryker iBed Wireless technology
- Trial counsel to Celltrion and Teva in *Genentech, Inc., et al. v. Celltrion, Inc. and Teva Pharmaceuticals USA, Inc., et al.* (US District Court for the District of New Jersey), patent litigation under BPCIA over

proposed rituximab biosimilar

- Lead trial and appellate counsel to HyperBranch and Stryker in *Confluent Surgical, Inc. v. HyperBranch Medical Technology, Inc.* (PTAB and Federal Circuit), inter partes review proceedings and related appeals over the validity of patents covering hydrogel surgical sealants and applicators
- Lead trial counsel to UCANN in *United Cannabis Corporation v. Pure Hemp* (US District Court for the District of Colorado), patent litigation over cannabidiol (CBD) compositions used for medical treatment
- Lead trial counsel to Prolacta Bioscience in *Ni-Q, LLC v. Prolacta Bioscience, Inc.* (US District Court for the District of Oregon), patent litigation over methods of processing human donor milk for extremely premature infants
- Lead counsel to Cisco in *Cisco Systems, Inc. v. Vir2us, Inc.* (PTAB), inter partes review proceedings over computer networking technologies
- Trial counsel to CertusView in *CertusView Technologies v. S&N Communications* (US District Court for the Eastern District of Virginia), patent litigation involving hardware and software used to document the locations of underground utilities
- Lead counsel to Palo Alto Networks in *Finjan v. Palo Alto Networks* (PTAB and Federal Circuit), inter partes review proceedings and related appeals involving malware detection software
- Lead counsel to Dot Hill in *Crossroads Systems v. Dot Hill Systems* (US District Court for the Western District of Texas, PTAB, Federal Circuit and the US Supreme Court), patent litigation involving storage area networks
- Lead appellate counsel to Blackhawk Network in *e2Interactive, Inc. v. Blackhawk Network, Inc.* (Federal Circuit), patent litigation over stored value card processing systems
- Lead trial counsel to Enfish in *Enfish, LLC v. Microsoft Corp.* (US District Court for the Central District of California, PTAB and Federal Circuit), patent litigation over database architectures

Education

University of Texas School of Law
JD, 2003

University of Colorado at Boulder
BA, 1997

Admissions & Credentials

Colorado

Registered to practice before the United States Patent and Trademark Office (USPTO)

Court Admissions

Supreme Court of the United States

US Court of Appeals for the Federal Circuit

US District Court for the District of Colorado

US District Court for the Eastern District of Texas

US District Court for the Western District of Texas

Rankings & Accolades

Chambers USA: Intellectual Property – Colorado (2020 – 2023)

Best Lawyers in America: Intellectual Property Litigation

Managing Intellectual Property: IP Star

Super Lawyers: Intellectual Property Litigation

Memberships & Affiliations

Colorado Bar Association

American Bar Association

American Intellectual Property Law Association