Cooley

Orion Armon

Partner



oarmon@cooley.com

+1 720 566 4119

Colorado

Intellectual Property
Life Sciences IP Litigation
Patent Office Litigation
Medtech
Software
Trade Secret Litigation and Dispute Counseling
Intellectual Property Litigation

Orion is a first-chair trial lawyer who has obtained over $200 million in trial judgments for clients during the past year. He focuses on patent litigation matters in US district courts, at the Patent Trial and Appeal Board (PTAB) within the US Patent and Trademark Office (USPTO) and before the US Court of Appeals for the Federal Circuit. Orion focuses on high-stakes life sciences intellectual property litigation involving medical devices and diagnostics technologies (medtech). He has litigated cases involving thrombectomy systems for treating stroke and pulmonary embolism, assays for detecting Alzheimer's disease, ophthalmological stents, occlusion catheters, blood glucose monitoring systems, surgical kits for correcting lumbar spinal stenosis, surgical robotics devices, intraocular lenses, hydrogel surgical adhesives and monoclonal antibodies for treating solid tumors and cancers of the blood, as well as computer hardware and software technologies. Orion's practice also encompasses high-stakes commercial litigation matters in the state and federal courts.

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 is a frequent lecturer on intellectual property litigation in the healthtech sector. Orion's litigation statistics include:

- 107 district court patent infringement cases, 23 as lead counsel
- 47 PTAB proceedings, 22 as lead counsel
- 31 Federal Circuit appeals, 24 as lead counsel

Orion's representative cases include serving as:

- Lead trial counsel to SwervePay in *In re SwervePay, LLC v. New Mountain Capital, et al.,* (Delaware Chancery Court) – medtech litigation involving post-acquisition earnout fraud claims by healthcare payments facilitator SwervePay; after a bench trial, the Delaware Chancery Court found in SwervePay's favor on its claims for fraudulent inducement and awarded it $120 million in damages plus pre- and post-judgment interest
- Lead trial counsel to Sight Sciences in *Sight Sciences, Inc. v. Alcon Inc., et al.* (US District Court for the

District of Delaware and PTAB) – patent litigation involving ophthalmological stents for lowering intraocular pressure wherein a complete jury verdict in favor of Sight Sciences was obtained; the jury found all claims infringed, none invalid, and awarded damages totaling ~$55 million in a final judgment

- Trial counsel to Samsung Bioepis in *Alexion Pharmaceuticals, Inc. et al. v. Samsung Bioepis Co. Ltd.* (D. Del.) – patent litigation involving a biosimilar to eculizumab, a monoclonal antibody used to treat several autoimmune disorders, resulting in the successful defeat of Alexion's motion for a preliminary injunction
- Lead counsel to Certus Critical Care in *Prytime Medical Devices, Inc. v. Certus Critical Care, Inc.* (D. Del.) – patent and false advertising litigation involving inflatable occlusion catheters for halting blood loss in emergency situations
- Trial counsel to Vertos Medical in *Vertos Medical, Inc. v. Folsom Medical Products, et al.* (US District Court for the Northern District of Alabama) – patent and false advertising litigation involving methods and kits for lumbar decompression surgery
- Trial counsel to Absolute Software in *Sectra Communications AB, et al. v. Absolute Software, Inc., et al.* (US District Court for the Western District of Washington) – patent and false advertising litigation involving secure mobile VPN technologies
- Lead trial counsel to Intuity Medical in *Heritage IP LLC v. Intuity Medical, Inc.* (D. Del.) – patent infringement litigation over blood glucose monitoring systems
- Lead counsel to Stryker in *Moxchange LLC v. Stryker Corporation* (US 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 a proposed rituximab biosimilar
- Lead trial and appellate counsel to HyperBranch and Stryker in *Confluent Surgical, Inc. v. HyperBranch Medical Technology, Inc.* (PTAB and Fed. Cir.) – 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 Collective, Inc.* (US District Court for the District of Colorado and Fed. Cir.) – 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 trial counsel to Enfish in *Enfish, LLC v. Microsoft Corp.* (US District Court for the Central District of California, PTAB and Fed. Cir.) – patent litigation over database architectures

Education

University of Texas School of Law

University of Colorado at Boulder

Admissions & Credentials

Colorado

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

Court Admissions

US Supreme Court

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 – 2026)

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 (ABA)