Proskauer

Proskauer Secures Significant Victory for Gilead Sciences in $3.6 Billion HIV Drug Antitrust Case

July 5, 2023

LOS ANGELES, July 5, 2023 – Proskauer, a leading international law firm, announced today that it secured a decisive victory for Gilead Sciences, Inc. in a $3.6 billion antitrust case on allegations that the pharmaceutical company struck an anticompetitive "pay-for-delay" patent settlement related to two HIV medications.

A jury in the U.S. District Court for the Northern District of California delivered a full defense verdict following a six-week trial.

The verdict affirms that a 2014 patent settlement between Gilead and Teva did not violate antitrust law and was not a reverse payment. On the contrary, it promoted competition and enabled individuals to obtain generic versions of Atripla® and Truvada® before the expiration of Gilead’s patents protecting those medicines.

The consolidated cases relate to Gilead’s life-saving HIV prevention and treatment medicines, Truvada and Atripla. The cases alleged that Gilead, a biopharmaceutical company that discovers, develops and innovates in the areas of HIV and other unmet medical needs around the world, violated state and federal antitrust laws related to a patent litigation settlement agreement with generic drug manufacturer Teva.

The Proskauer team was led by partners Bart Williams and Susan Gutierrez and associates William Dalsen, Om Alladi, Christina Assi, Margaret Ukwu and Genesis Sanchez Tavarez and paralegals Jeffrey Soldridge and Stacy Evans (Litigation).

Proskauer acted as co-counsel alongside Kirkland & Ellis.

About Proskauer

We are 800+ lawyers serving clients from 12 offices located in the leading financial and business centers in the Americas, Europe and Asia. We work with asset managers, private equity and venture capital firms, Fortune 500 and FTSE companies, major sports leagues, entertainment industry legends and industry-redefining companies.

Since 1875, Proskauer has been devoted to our clients' successes. Our lawyers are known for their unusually high accessibility, responsiveness and attentiveness. We go the extra mile to understand a client's business — and think like savvy businesspeople in the process.

Proskauer has a full-service litigation practice with extensive trial experience in virtually every major forum across the globe. We take a collaborative approach to representing defendants and plaintiffs, multinationals, middle-market and small-cap businesses, financial institutions, partnerships and individuals, with one thing in mind – driving successful outcomes for our clients.

We win make-or-break cases, change laws and establish precedents. Our litigators cover the full spectrum of complex commercial litigation practice areas and handle the complete range of sophisticated litigation, trial, appellate and counseling, as well as government contractor issues and investigations.

Our prowess in the field consistently earns the highest accolades, receiving a top-tier rankings in *Chambers* and recognized as leaders by *The Legal 500* and *Benchmark Litigation*, among others.

Related Professionals

- **Bart H. Williams**
  Partner
- **Susan L. Gutierrez**
  Partner
- **William D. Dalsen**
  Partner
- **Christina M. Assi**
  Senior Counsel
- **Genesis G. Sanchez Tavarez**
  Associate