



Impax Laboratories Improves Way to Analyze Patents with Lex Machina



Headquartered in Hayward, California, Impax Laboratories, Inc. is a technology-based specialty pharmaceutical company with expertise on drug delivery and formulation. The company has a balanced business model consisting of a successful generic business targeting Abbreviated New Drug Applications (ANDA), and a branded business.

Huong Nguyen, Senior Director IP, among other things, is responsible for overseeing, patent and other litigation activities at Impax. Her company's generic product development is based on a combination of speed to filing and a legal strategy of non-infringement and/or patent invalidity or unenforceability on patents covering established brand name pharmaceuticals. Huong's business goal is to facilitate getting generic drugs to market.

When Huong discovered Lex Machina in 2009, she immediately saw the value it provided. "15 years ago legal data was some-what manageable", she said. "Today, there is just too much data available. You need smart tools to cut through the noise. Traditional legal databases are like the early internet search engines. Lex Machina is more like Google. It helps me quickly find what matters".

Managing Outside Counsel

"Lex Machina helps me manage and monitor our outside counsel. But we also expect our law firms to have access to this type of data", Huong mentioned. When she recently invited six firms to pitch for a new case, one of the things she wants to see is familiarity with the court. How many times has a specific judge granted a motion to dismiss? The more information outside counsel can provide, the better they look to Impax. Huong recalled: "Two of the six firms were able to provide convincing data to back up their presentation and this made them stand out head and shoulders."

“Lex Machina helps me get the information I need to do my job, quickly and easily.”

Huong Nguyen, Impax

Litigation

For Huong it is important to get high-level insight into the behavior of a judge, but she also values the capability to drill down to the relevant dockets. She wants to know how much time a judge will take to get to trial.

How many times has the judge invalidated a patent or on what grounds? Will he or she grant a preliminary injunction? “Lex Machina provides me full access to the documents that are attached to the dockets. For claim construction, I can see all the orders of the court and can look up what other courts have done. Then I can go and review all the relevant cases, which gives me a complete picture in just a few minutes”, Huong said.

Merger & Acquisition

At Impax, Legal Analytics are also informing due diligence for potential product acquisitions and partnerships. The legal team quickly finds background information about the target company, the products, and the patents involved. With just a few clicks they can see all litigation that has occurred, how the involved parties will behave and that way build a model of the target.

Product Analysis

Lex Machina helps Impax perform product analysis. When it comes to analyzing market segments and deciding which products to develop, Huong looks at the history of the product and patents being litigated. She says: “I want to see prior litigation of the patents at issue to decide if the patents are worth challenging or not.”

Next Steps

Having used Lex Machina for many years, Huong knows that it can be used in a much broader way throughout the company. She believes that her business development group could benefit greatly from Legal Analytics and will introduce Lex Machina to them.