

Kristen C. Buteau

Counsel

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Kristen Buteau, whose practice is complemented by her years of experience as a research scientist in the pharmaceutical industry, assists pharmaceutical and biotech companies in the strategic development of patent portfolios and product lifecycle management. Her practice focuses on all areas of drug discovery, from proof-of-concept through drug design, development, and product launch. She manages global patent portfolios for sophisticated pharmaceutical companies, while facilitating investment acquisitions and licensing through due diligence and freedom-to-operate analyses. Ms. Buteau also works with universities and research institutions to provide focused patent protection for innovative discoveries.

Ms. Buteau is a *Massachusetts Super Lawyers* "Rising Star."

EDUCATION

Suffolk University Law School
JD, 2010, *Intellectual Property*,
magna cum laude, with
distinction

Northeastern University
MS, 2005, Chemistry

Boston University
BA, 2000, Chemistry

PRACTICE FOCUS

Intellectual Property Protection

Counsels global pharmaceutical companies, mid-to-large biotechnology companies, venture-backed start-up companies, research institutions and universities, and investor groups in the crafting and development of IP protection strategies for pharmaceutical products.

Prepares and prosecutes patent applications relating to a wide variety of pharmaceutically-relevant inventions, including portfolios protecting novel chemical matter, metabolites and prodrugs, deuterated analogs and derivatives, pharmaceutical formulations, methods of treatment and dosing regimens, patient stratification, and combination therapies.

Advises clients on license agreements, manufacturing and supply agreements, and consulting agreements.

Complex Intellectual Property Disputes

Works closely with litigation teams to develop strategies pertaining to technical scientific concepts and patent prosecution issues.

Advises clients on Hatch-Waxman product exclusivity timelines.

Due Diligence

Renders validity/invalidity opinions.

Analyzes and advises clients on freedom-to-operate positions.

Provides focused and strategic advice in support of due diligence to facilitate merger and acquisition, initial public offering and in-licensing opportunities.

ADMISSIONS

Massachusetts

U.S. Patent & Trademark
Office

PRACTICE AREAS

Intellectual Property
Protection

Complex Intellectual
Property Disputes

Life Sciences

REPRESENTATIVE ENGAGEMENTS

- Advises clients on worldwide portfolio management and filing strategies.
- Counsels start-up clients on developing IP strategies and portfolio creation.
- Assists clients in determining inventorship of patents/applications.
- Conducts freedom-to-operate and competitive landscape analyses.
- Prepares applications for Hatch-Waxman patent term extensions.
- Developed IP protection strategies for a venture-backed company focused on disease-modifying therapeutics for treating neurological diseases by preventing axonal degeneration.
- Represents clients in the preparation and prosecution of patent applications directed to treatment of oncology and autoimmune diseases, with a particular focus on kinase inhibitors.
- Conducted IP due diligence in support of Tesaro's in-licensing and prosecution of a patent estate protecting rolapitant, a novel NK1 antagonist now approved for the treatment and prevention of delayed nausea and vomiting associated with repeated courses of emetogenic cancer chemotherapy.
- Represented Tesaro during IP due diligence in support of its \$87M initial public offering.
- Represented Tesaro in several rounds of follow-on financing, totaling more than \$400 million.
- Represented Celgene Corporation in IP due diligence in support of its \$1.1 billion acquisition of Impact Biomedicines.
- Represented Momenta Pharmaceuticals in a patent infringement action relating to innovative methods of processing therapeutic polysaccharides.
Momenta v. Amphastar et al.
- Represented Celgene Corporation in a breach of contract litigation regarding exclusive license agreement related to Revlimid and Pomalyst.
Children's Medical Center Corporation v. Celgene Corporation, D Mass

PUBLICATIONS AND PRESENTATIONS

- "Raising the Stakes in Patent Cases," *panelist*, BIO IPCC Fall Conference, November 2018.
- "The design, synthesis and structure-activity relationships of novel isoindoline-based histone deacetylase inhibitors," *co-author*, *Bioorganic & Medicinal Chemistry Letters*, 2011.
- "Deuterated Drugs: Unexpectedly Nonobvious?," *author*, *Journal of High Technology Law*, 2009.

PROFESSIONAL AND COMMUNITY INVOLVEMENT

Ms. Buteau is a member of the American Chemical Society and the Boston Patent Law Association.