



# Kristen C. Buteau

DEPARTMENT CHAIR, INTELLECTUAL PROPERTY

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Kristen Buteau, Chair of Choate's Intellectual Property Department, counsels clients on protection strategies for small molecule therapeutics and other chemistry-related technologies and therapeutics. Her clients – comprised largely of pharmaceutical and biotech companies – benefit from her years of experience as a medicinal and process chemist in the Boston-area pharmaceutical industry. Working alongside scientists and/or in-house legal teams, she assists pharmaceutical and biotech companies in the strategic development of patent portfolios and product lifecycle management for clinical stage small molecules and related technologies.

Kristen advises clients in 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 also facilitating investment acquisitions, financing, and licensing through IP due diligence and freedom-to-operate analyses. Her clients also look to her for advice on the Orange Book list ability of patents, regulatory exclusivity estimates and timelines, and patent term extension applications.

## Focus Areas

Private Equity and M&A

Life Sciences and  
Technology

## Admissions

- Massachusetts
- U.S. Patent & Trademark Office

## Representative Engagements

- Advises clients on worldwide portfolio management and filing strategies.
- Develops lifecycle management strategies for clinical stage small molecule therapeutics.
- Counsels start-up clients on developing IP strategies and portfolio creation.
- 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.
- Assists clients in determining inventorship of patents/applications.
- Conducts freedom-to-operate and competitive landscape analyses.
- Prepares applications for Hatch-Waxman patent term extensions and advises clients on regulatory exclusivity and Orange Book listing strategies.
- Conducts pre-litigation analyses of Orange Book-listable (or listed) patent estates.
- Provides invalidity/non-infringement opinions.
- Represents clients in IP due diligence in support of initial public offerings and follow-on offerings.

- Developed IP protection strategies for a venture-backed company focused on disease-modifying therapeutics for treating neurological diseases by preventing axonal degeneration.
- 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 Disarm Therapeutics in IP due diligence in support of its \$135M acquisition by Eli Lilly and Co.
- Represented Tesaro during IP due diligence in support of its \$87 million 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 Angion Biomedica Corp. during IP due diligence in support of its \$117 million initial public offering.
- Represented Angion Biomedica Corp. during IP due diligence in support of its reverse merger with Elicio Therapeutics.
- Represented BioNTech in IP due diligence in support of its acquisition of AexeRNA Therapeutics.
- Represented Bain Capital Life Sciences in IP due diligence in support of its Series B financing in Alkeus Pharmaceuticals, Inc.
- **Momenta v. Amphastar et al., D. Mass.:** Represented Momenta Pharmaceuticals in a patent infringement action relating to innovative methods of processing therapeutic polysaccharides.
- **Children's Medical Center Corporation v. Celgene Corporation, D. Mass.:** Represented Celgene Corporation in a breach of contract litigation regarding exclusive license agreement related to Revlimid and Pomalyst.

#### Professional & Community Involvement

- Member of the American Chemical Society
- Member of the Boston Patent Law Association