



Michael Murphy

Associate

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PRACTICE AREAS

- Litigation
- Intellectual Property

INDUSTRIES

- Life Sciences

OVERVIEW

Mr. Murphy is an associate in the Intellectual Property Practice Group, Life Sciences Team, and Appellate Practice Team. He is located in the firm's Del Mar office.

Areas of Practice

Mr. Murphy's practice focuses on intellectual property matters including patent, copyright, trademark and trade secret litigation as well as intellectual property transaction and prosecution projects. In addition to intellectual property matters Mr. Murphy's practice includes working on life sciences transactional and regulatory matters, including internal investigations of life sciences companies and representation before federal regulatory bodies.

Mr. Murphy joined the firm after serving for one year as a judicial clerk to the Honorable Rudi M. Brewster in the United States District Court for the Southern District of California. During Mr. Murphy's clerkship the Court's docket was heavily weighted toward patent cases. As a result, Mr. Murphy participated as clerk in numerous intellectual property matters, including bench and jury patent trials, numerous motions regarding patent issues, and a multitude of Markman hearings. The technologies at issue included, among other things, two-sided immunoassays, software related to digital and audio compression, cellular telephone tuning and reception, and water purification.

Prior to clerking for Judge Brewster, Mr. Murphy worked in the patent litigation department of a national law firm where he worked on matters before the International Trade Commission, the United States Patent and Trademark Office, and the United States District Courts for the Northern and Central Districts of California. These matters covered a wide range of technologies including pharmaceutical drug delivery systems, electrical cells, liquid crystal displays, and mechanical valves. Mr. Murphy also prepared filings for submission to the United States Patent Office and the Chinese National Patent Office.

Mr. Murphy holds a degree in Molecular and Cellular Biology from the University of California at Berkeley. Upon completion of his undergraduate studies Mr. Murphy worked in the medical device and pharmaceutical industries at Schering Plough Research Institute, Statprobe, Inc., and Axon Instruments, Inc. where he reviewed and supervised clinical research on investigational new drugs and medical devices for compliance with Food and Drug Administration and International Conference on Harmonization regulations. During this period Mr. Murphy prepared 510k documents for submission to the FDA, reviewed clinical research related to wide variety of pharmaceuticals and medical devices, and sat on Schering Plough Research Institute's Standard Operating Procedure

Committee and the Training Committee.

Mr. Murphy's life sciences clients have included Amgen, Sequenom, Omni Life Sciences, SkyePharma, MicroIslet, NeuroSystec, and Bioness.

EDUCATION

- J.D., Georgetown University Law Center, 2004, *cum laude*
- A.B., Molecular & Cellular Biology, University of California, Berkeley, 1996

CLERKSHIPS

- Judicial clerk to the Honorable Rudi M. Brewster in the United States District Court for the Southern District of California

ADMISSIONS

- California

EXPERIENCE

Representative Experience

Nextec Applications, Inc. v. Brookwood Companies, Inc. - (*Southern District of New York*) – Currently representing plaintiff in a patent infringement matter regarding polymer fiber encapsulation technology. Argued summary judgment motion.

Weekend Warrior Trailers, Inc. v. Thor California, Inc. – (*Central District of California*) – Took over representation of plaintiff in patent infringement matter six weeks before motion cut-off. Argued summary judgment and in limine motions. Settled on favorable terms for plaintiff Weekend Warrior.

DailyeDeals, Inc., v. eCoupons, Inc. – (*Southern District of California*) – Represented plaintiff in Computer Fraud and Abuse Act, Lanham Act and unfair competition litigation. Settled on favorable terms for plaintiff DailyeDeals, Inc.

In re Mach I, Inc. – (*Southern District of California, Bankruptcy*) – Represented defendant Quinn Aire LLC in trade secret misappropriation and breach of contract action. Settled on very favorable terms for defendant Quinn Aire LLC.

Wireless Facilities, Inc. v. Celeris Systems, Inc. – (*California State Court*) – Represented plaintiff Wireless Facilities, Inc. in trade secret misappropriation litigation. Settled on favorable terms for plaintiff Wireless Facilities, Inc. (now known as Kratos Defense & Security Solutions, Inc.).

Sequenom, Inc. – Representing Special Committee of the Board of Directors in internal investigation related to laboratory data and representations to the public and the Food and Drug Administration.

Amgen, Inc. – Represented Amgen in drafting and negotiating documents to clinical trials pursuant to Food and Drug Administration regulations and ICH Guidelines.

MEMBERSHIPS

- Member, Intellectual Property and Appellate Practice sections of the San Diego County Bar Association

- Member, San Diego Intellectual Property Law Association
- Member, San Diego Intellectual Property Association

ARTICLES

- Limiting Liability in Clinical Trials: Non-Lawyers, Lawyers Beware, *San Diego Daily Transcript*, March 26, 2009