

# Animal Health

Keeping animals healthy is the main objective of the animal health industry. And with well over 10 billion animals in the U.S. counted on an annual basis, the animal health industry is growing at a rapid pace. With offices located in the heart of America's animal health corridor, home to 75% of business in the animal health industry, Polsinelli attorneys understand the local and national challenges and risks that animal health companies face in trying to remain at the forefront of the industry. From food-producing animals to companion animals, vaccines to food products, Polsinelli's Animal Health practice has extensive experience helping companies strategize, build, and enforce worldwide chemistry, biotechnology, and pharmaceutical intellectual property portfolios, as well as in issues surrounding new product launches or business reorganizations.

We have extensive experience in the following areas:

- Animal vaccines
- Diagnostics
- Animal feed, treats, and supplements
- Drug delivery
- Therapeutics and treatments
- Topical compositions
- Oral pharmaceuticals

Our Animal Health practice serves as a trusted advisor to clients. Whether a client is collaborating, licensing, or commercializing innovations, our cross-disciplinary practice is well-equipped to provide counseling regarding business agreements, protection and enforcement of intellectual property rights, Federal and state regulatory requirements, and product liability.

## Matters

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### Intellectual Property

- Successfully argued against the institution of an Inter Partes Review (IPR) Petition filed by a large international animal health company against a composition patent owned by an international OTC animal health pharmaceutical company client. Based on arguments made in defense of the client's patent, the Patent Trial and Appeal Board (PTAB) declined to institute IPR of any challenged claims.
- Helped a company bring new animal health products to market by issuing freedom to operate opinions, drafting patent applications and working with executives to ensure entry into the marketplace and protection of intellectual property.

- Prepared, prosecuted, and managed extensive intellectual property portfolio covering flea and tick composition.
- Conducted intellectual property due diligence for the acquisition of a national animal health company by an international over-the-counter pharmaceutical manufacturer.

## **Corporate and Transactional Counsel**

- Negotiated a distribution/supply agreement between United States distributor and Korean manufacturing company covering distribution of immunochromatographic test kits for the qualitative detection of viruses affecting dogs or cats, including parvovirus, heartworm, and feline infectious peritonitis virus.
- Successfully represented an international life sciences company in strategizing the structuring for, and affecting the launch of, a new line of animal health products in the United States.
- Represented founders in formation and funding of TechAccel LLC, the first private capital, co-development partner focused on the acquisition and advancement of technologies in partnership with leading global companies in agriculture, animal health and food sectors.
- Served as special IP and regulatory counsel to Aratana Therapeutics, an animal-health biotech company, in initial public securities offering and follow-on offerings.
- Provided corporate restructuring, technology in-licensing transactions, and venture capital funding for Centaur Animal Health.
- Represented Australia's leading animal health company in navigating U.S. regulatory hurdles, establishing a sales and distribution network and to enter the United States market.
- Represented a consortium of animal health manufacturers and distributors in transferring assets to, and acquiring new technology lines for, a new manufacturing and distribution system.
- Negotiated strategic partnerships and research and development agreements for TechAccel with Kansas State University.
- Structured angel investor funding and state tax credit program for initial investors in Aratana Therapeutics.
- Represented the interests of Kansas City Area Life Sciences Institute and other of the world's leading animal health companies in establishing the Center of Animal Health Innovation to help accelerate the development of early stage animal health technologies.
- Represented an animal health biopharmaceutical company in a series of successful private placements of its securities, totaling nearly \$30 million. Helped secure significant local income tax credits for investors with respect to such private placements.
- Led a team of attorneys that acted as specialty regulatory, intellectual property, and corporate counsel to an animal health biopharmaceutical company with respect to its initial public offering.