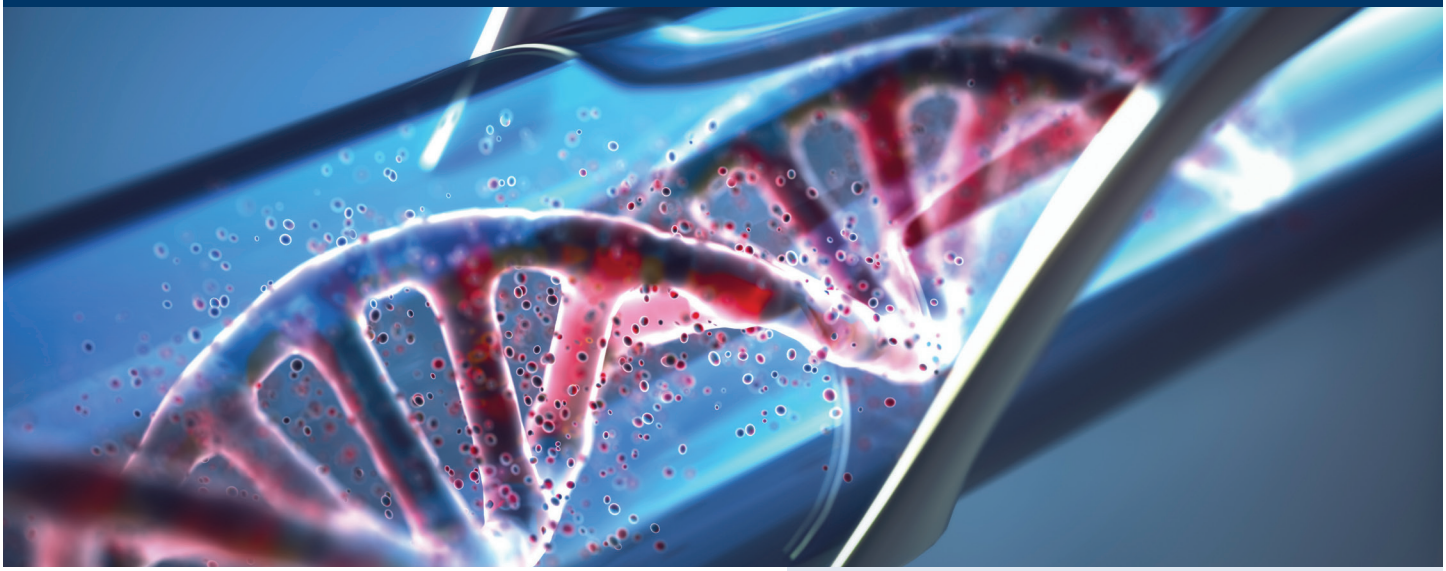
LIFE SCIENCES AND MEDICAL TECHNOLOGIES: DIAGNOSTICS

DuaneMorris®



INNOVATIVE INSIGHTS. ***Providing strategies to deliver diagnostic and imaging offerings and services to the world.***

Diagnostics and personalized medicine companies developing and commercializing innovative tests face an evolving patent landscape, increased regulation and challenging data, privacy and reimbursement issues. A multifaceted strategy is key to monitoring and addressing these challenges.

Our multidisciplinary team draws on deep experience from across the firm's practice areas to help clients maximize the value of their innovative diagnostic technologies, while minimizing the risks and challenges of working at the forefront of innovative and enabling personalized medicine technologies.

Duane Morris regularly advises clients on IP management and strategy, IP licensing and collaborations, product clearances, opinions and diligence in connection with our clients developing, investing in, acquiring and/or selling diagnostic, imaging or analytical technologies, including liquid biopsy and esoteric molecular testing, tandem mass spectrometry, immunoassays, imaging technologies, bioinformatics, data mining and analysis using artificial intelligence, companion diagnostics, cancer detection and monitoring, early detection of organ transplant rejection, as well as detection of neurology, cardiology, metabolic disease, rheumatoid arthritis and/or prenatal conditions using molecular markers. We have also handled licensing matters related to cell lines used in research, including cell-based assays used in screening and validating therapeutic agents.

We also offer strategic insights and creative legal advice to guide clients navigating the rapidly changing landscape of regulations and legislation relating to regulatory approvals, privacy and artificial intelligence issues for companies at the center of personalized medicine solutions utilizing enabling technologies for diagnostics, imaging and analysis.

Duane Morris attorneys have guided diagnostic companies and investors in precision medicine and diagnostics with respect to securities, common stock, series seed and preferred stock financing transactions, angel, strategic, venture capital and private equity investors. We also have substantial experience guiding companies through initial public offerings and follow-on offerings.

RANKINGS

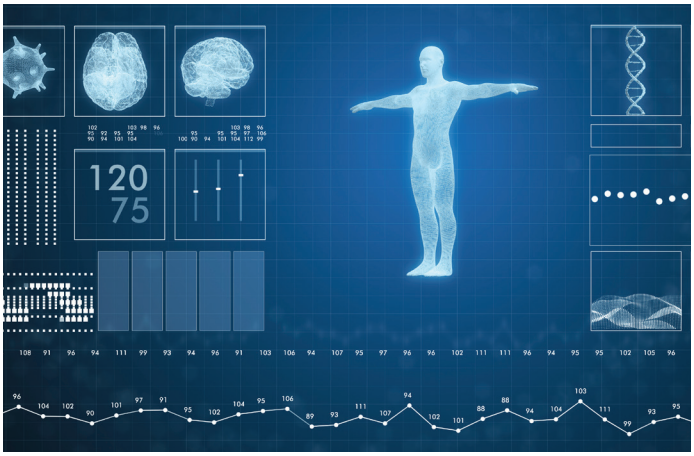
- Ranked by Juristat as a Top 3 Law Firm for Patent Prosecution in Biotechnology and Organic Chemistry
- Ranked by Legal 500: United States 2025 as a **LEADING LAW FIRM** in Life Sciences
- Ranked by LMG Life Sciences 2025 among leaders in Patent Prosecution

RANGE OF SERVICES

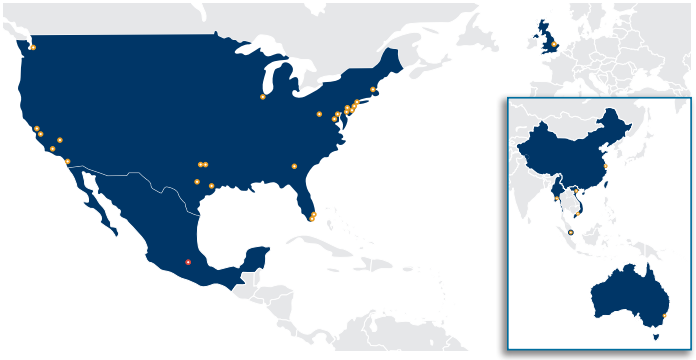
- IP Licensing/Diligence
- IP Strategy/Prosecution
- IP Litigation
- Regulatory
- Corporate Formation
- Financings
- Exits
- Stakeholder Disputes
- Collaborations/Partnering
- Commercial Contracts
- Corporate Governance
- Commercial Litigation
- Products Liability and Toxic Torts
- White-Collar/Government Regulatory
- Employment and Labor
- Benefits
- Immigration Services and Compliance
- Non-Compete & Trade Secrets

REPRESENTATIVE MATTERS

- Represented **QUEST DIAGNOSTICS** in providing IP diligence and negotiation of IP issues in Quest's $300 million (up to $450 million with milestones) acquisition of Haystack Oncology, a biotechnology company focused on innovative liquid biopsy and tumor-detection technology.
- Handle global patent strategy for **SKYSONG INNOVATIONS**' pioneering technology in the field of nucleic acid origami diagnostics and therapeutics.
- Represented **COWEN AND COMPANY LLC** as sales agent in a $40 million at-the-market equity offering of common stock for HTG Molecular Diagnostics Inc. (Nasdaq: HTGM), a commercial stage life sciences company focused on advancing precision medicine.
- Managed the patent prosecution of **ALLELE BIOTECH**'s fluorescent protein portfolio which includes the trademarked mNeonGreen product.
- Represented a leading **DIAGNOSTIC DEVICE AND ASSAY MANUFACTURER** for the patent prosecution of an ultrafast PCR instrument.
- Represented **B. RILEY FBR INC.** as sales agent in a $12.5 million at-the-market equity offering of common stock for Biomerica Inc. (Nasdaq: BMRA), a developer of medical diagnostic products designed for the early detection and monitoring of chronic diseases and medical conditions, including a newly developed serological test for COVID-19, which can deliver results in as little as 15 minutes.
- Represented a national **DEVELOPER AND MANAGER OF DIAGNOSTIC IMAGING FACILITIES** in a joint venture transaction for the ownership and operation of two free-standing diagnostic imaging facilities located in Tupelo, Mississippi.
- Represented **FBR CAPITAL MARKETS & CO.** as sales agent in a $3.6 million at-the-market equity offering of common stock for ITUS Corp. (Nasdaq: ITUS). ITUS Corp. is developing a diagnostic platform called Cchek, a series of inexpensive, noninvasive blood tests for the early detection of cancer.
- Represented **CD DIAGNOSTICS INC.**, a Delaware-based diagnostics company focused on developing immunoassays and biomarker testing to inform treatment decisions that improve patient outcomes, in its sale to Zimmer Biomet Holdings Inc. (NYSE and SIX: ZBH), a global leader in musculoskeletal healthcare.
- Represented **QUEST DIAGNOSTICS** in the sale of a stream of royalty revenue from commercialization of the drug candidate Ibrutinib to Royalty Pharma for $485 million in cash.
- Represented **IRIS INTERNATIONAL** on company-side IP issues in connection with its sale to Danaher for $355 million.
- Represented a leading **MANUFACTURER OF LIFE SCIENCES PRODUCTS** in a patent infringement suit involving DNA sequencing. Obtained summary judgment of infringement and, after completion of discovery, the case settled in a manner the client found favorable.
- Counsel to a privately owned **BIOTECHNOLOGY RESEARCH AND DEVELOPMENT COMPANY** in connection with a license and development agreement with Norway-based Nycomed Imaging AS for the development of a molecule for certain in vivo diagnostic imaging and therapeutic uses.
- Represented **BRACCO S.P.A.**, an Italian producer of diagnostic imaging products, in its acquisition of the diagnostic imaging division of Bristol-Myers for $300 million.



OFFICE LOCATIONS & REACH



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> Alliances in Mexico and throughout Latin America
> Leadership position with international network of independent law firms

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