

## David M. Hashmall



David M. Hashmall serves as counsel and Chairman Emeritus of Goodwin Procter. Mr. Hashmall led Goodwin as Chairman from 2014 to 2019, and under his leadership the firm grew from a U.S.-focused firm into a global leader with expanded offices in London and Hong Kong and office openings in Frankfurt and Paris. He founded and led the firm's Diversity, Equity + Inclusion Committee and throughout his tenure as Chairman leveraged the power and visibility of his position to promote greater diversity and inclusion at Goodwin and in the broader legal community. Mr. Hashmall previously led Goodwin's Litigation Department in New York for over 10 years and served on the firm's Executive Committee for 8 years.

His efforts on behalf of clients have earned him distinction as a BTI Client Service All-Star, a designation determined by BTI's annual in-house counsel survey. He has also been recognized as a leading IP lawyer by Chambers USA: America's Leading Lawyers for Business, where clients have called him "a terrific trial lawyer" and "a great relationship partner."

### Areas of Expertise:

- ANTITRUST
- ATTORNEY FEE
- COMMERCIAL LITIGATION
- CONTRACTS
- PATENT
- PHARMACEUTICALS
- PROFESSIONAL RESPONSIBILITY AND MALPRACTICE
- STANDARD ESSENTIAL PATENTS (SEP)
- TRADE SECRET

### Experience:

Mr. Hashmall has more than 40 years of experience litigating complex commercial disputes, and securities and antitrust matters, at both the trial and appellate levels. His extensive IP litigation experience is concentrated on patent infringement in the pharmaceutical industry, with a specific focus on Hatch-Waxman litigation.

### REPRESENTATIVE CASES:

#### Intellectual Property/Patent:

- Represented major pharmaceutical companies in Hatch-Waxman litigation, in both brand and generic side cases, litigating issues of noninfringement, invalidity and inequitable conduct, and issues of damages after product launch.

### **Commercial Litigation:**

- Defended a publicly held NYSE company in a multidistrict litigation alleging violations of the RICO statute, fraud, negligence and breach of fiduciary duty arising from the sale of its insurance subsidiary.
- Represented a banking institution in defense of claims by a competitor bank of trade secret misappropriation related to geospatial mapping technology

### **Antitrust:**

- Prosecuted a pharmaceutical company on behalf of an antitrust plaintiff in the first case to go to trial challenging a brand-company's use of a "product-hopping" life cycle management strategy to impede generic competition.

### **Securities:**

- Represented a major New York private investment banking firm in arbitrations involving customer complaints, and in a federal court jury trial against a broker charged with financial misconduct.

### **Recognition:**

Mr. Hashmall has been recognized by The Best Lawyers in America: Best Lawyers for his work in Litigation – Intellectual Property 2022.

Mr. Hashmall, who holds Martindale-Hubbell's highest rating of "AV<sup>®</sup>-Preeminent<sup>™</sup>," is recognized as a leader in his field by preeminent, peer-reviewed publications.

### **His Recognition Includes:**

- Hatch-Waxman (Branded) Litigator of the Year, LMG Life Sciences
- BTI Client Service All-Star
- Chambers USA: America's Leading Lawyers for Business
- Intellectual Asset Management (IAM) Patent 1000, an annual listing of the world's leading patent practitioners, where clients note that "he inspires the greatest degree of trust and he knows the judicial process inside out – he really is a terrific trial lawyer"
- Managing IP Magazine, named an "IP Star"
- Euromoney LMG Life Sciences Guide, named a "Life Sciences Star"
- Legal 500 U.S.
- New York Super Lawyers

Mr. Hashmall has been selected as a member of the Litigation Counsel of America, an invitation-only trial lawyer honorary society. While attending law school, he was on the staff of the Annual Survey of American Law.



### **Speaking Engagements:**

- 13th Annual Leading Law Firms Conference, November 22, 2019, New York City, NY

### **Podcasts:**

- Perspectives Podcast: Jerry Kang, UCLA's first Vice Chancellor for Equity, Diversity and Inclusion March 29, 2019
- Perspectives Podcast: Bracket Denniston, former General Counsel of General Electric March 4, 2019
- Perspectives Podcast: Heidi Gardner, Distinguished Fellow and Lecturer on Law at Harvard Law School February 4, 2019
- Perspectives Podcast: Trevor Morrison, the Dean at New York University School of Law January 3, 2019
- Perspectives Podcast: David Stark, Chief Legal Officer of Teva Pharmaceutical Industries January 2, 2019

### **Admissions:**

- Mr. Hashmall is admitted to practice in New York, as well as before the U.S. Supreme Court, the U.S. Court of Appeals for the Second Circuit, and the U.S. District Court for the Eastern and Southern Districts of New York.

### **Education:**

- J.D., New York University School of Law, 1977
- B.A., The Johns Hopkins University, 1972