



Contact

**Baldassare Vinti**

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Baldassare (“Baldo”) Vinti chairs Proskauer’s Intellectual Property Litigation Group.

Baldo’s practice focuses on litigating patent, false advertising, trade secret, life sciences, trademark and contractual matters in federal and state courts and before the International Trade Commission. He is a seasoned trial attorney responsible for all aspects of litigation, including *Markman* hearings, appeals before the Federal Circuit, case preparation and strategy, depositions, motion practice, and settlement negotiations. He has represented clients in high-stakes matters involving a broad range of technologies, including medical devices, diagnostics, immunoassays, prosthetics, pharmaceuticals, dental implants, electronic medical records systems, encryption technology, wound dressings, digital video compression, electronic book delivery and security systems, mobile media technologies, navigation and location-based services, bandwidth management, bar code scanning, lasers , and other technologies. Baldo has represented numerous major corporations, including Arkema S.A., British Telecommunications PLC, Church & Dwight Co., Inc., Henry Schein, Inc., Maidenform Brands Inc., Mitsubishi Electric Corp., Ossur North America Inc., Panasonic Corp., Sony Corp., Welch Foods, Inc., and Zenith Electronics LLC.

In addition, Baldo regularly handles transactional work, including intellectual property due diligence, licensing, intellectual property structural transactions, patentability

studies, infringement/non-infringement opinions, and client counseling in intellectual property matters.

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Baldo is an author and frequent commentator on patent issues pertaining to medical devices and a host of other intellectual property topics, and has been quoted in the *National Law Journal*, *Bloomberg BNA*, *Law360*, *Westlaw Journal* and *Inside Counsel* magazine. He is also a regular contributor of articles published in *Medical Product Outsourcing* magazine that deal with the medical device industry.

Baldo served as a judicial intern for Hon. John E. Sprizzo of the United States District Court for the Southern District of New York and for Hon. Charles A. LaTorella of the New York Supreme Court.

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## Matters

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### Representative litigation matters:

- *Zenith Electronics LLC, Panasonic Corp., U.S. Philips Corp. and The Trustees of Columbia University in the City of New York v. ViewSonic Corp., Curtis International Ltd. and Craig Electronics* (S.D. Fla.; C.D. Cal.) Currently representing Zenith, Panasonic, U.S. Philips and Columbia University in a series of patent litigations relating to transmission and reception of digital television signals, and the ATSC digital television standard.
- *Mitsubishi Electric Corp., Koninklijke Philips N.V., Thomson Licensing, GE Technology Development Inc., Panasonic Corp. and Sony Corp. v. Motorola Mobility LLC, ViewSonic Corp., Curtis International Ltd. and Craig Electronics.* (S.D. Fla.; C.D. Cal.) Currently representing Mitsubishi, Philips, Thomson, GE Technology, Panasonic and Sony in a series of patent litigations relating to compression of digital video signals, and the MPEG-2 compression standard.
- *Radiancy, Inc. v. Viatek Consumer Products Group, Inc.* (S.D.N.Y.) Currently representing Radiancy in a patent and false advertising litigation concerning

hair remover devices.

- *ADREA, LLC v. Barnes & Noble, Inc., Barnesandnoble.com, and Nook Media LLC* (S.D.N.Y.) Currently representing ADREA in a patent litigation relating to electronic book delivery and security systems.
- *British Telecommunications PLC v. Google, Inc.*, (D. Del.) Represented British Telecommunications in a patent infringement action against Google relating to navigation, location-based services, bandwidth management, and access to personalized services and content.
- *MobileMedia Ideas, LLC v. Blackberry* (N.D. Tx.) Represented MobileMedia Ideas (MMI), a patent portfolio licensor of inventions adopted by manufacturers of mobile phones and mobile media technologies, in a high-profile patent infringement case against Blackberry.
- *Small v. Nobel et al.* (S.D.N.Y.) Defended Henry Schein, Inc. and Camlog USA in a patent infringement lawsuit involving dental implants. Action was settled successfully after a favorable claim construction ruling.
- *Church & Dwight Co., Inc. v. Abbott Laboratories* (D.N.J.) Represented Church & Dwight in a patent infringement action against Abbott Laboratories relating to over-the-counter pregnancy tests, resulting in a \$14.6 million jury verdict and a finding of willful infringement which subsequently resulted in enhancement of that award to \$29.2 million. The court also subsequently awarded in excess of \$8.8 million in pre-and post-judgment interest, to bring the total award to more than \$38 million.
- *Inverness Medical Innovations, Inc., Inverness Medical Switzerland GmbH, and SPD Swiss Precision Diagnostics GmbH v. Church & Dwight Co., Inc.* (D. Mass.) Represented Church & Dwight in a patent infringement action relating to electronic diagnostic technology.
- *Medsquire, LLC v. Spring Medical Systems, Inc. et al.* (C.D. Cal.) Obtained dismissal, on behalf of Henry Schein, Inc., of a complaint alleging infringement of electronic medical records system sold and distributed by Henry Schein
- *Portfolio Technologies, Inc. v. Church & Dwight Co., Inc.* (ITC) Defended Church & Dwight's particular prophylactic design marketed under the Trojan® brand name in the U.S. International Trade Commission ("ITC"); the ITC ruled

in favor of Church & Dwight on a patent challenge mounted by plaintiff Portfolio Technologies, Inc., which alleged that Church & Dwight had infringed plaintiff's patent

- *Pfizer, Inc., Warner-Lambert Co. and Warner-Lambert Co, LLC v. Ajix, Inc. (d/b/a Farmacapsulas S.A.)* (D. Ct.) Defended Ajix, Inc., distributor of hard gelatin capsules, against Pfizer, Inc. Pfizer sued Ajix alleging that its gelatin capsules infringed a Pfizer patent related to intricate locking mechanisms present on the capsules. Obtained a summary judgment of noninfringement of Pfizer's patent, which was summarily affirmed by the Federal Circuit, per curiam.
- *Church & Dwight Co., Inc. v. Pfizer, Inc.; Church & Dwight Co., Inc. v. Quidel Corporation; and Inverness Medical Switzerland GmbH, Unipath Diagnostics, Inc., and Church & Dwight Co., Inc. v. Acon Laboratories, Inc.* (D.N.J., S.D. Cal., D. Mass.) Represented Church & Dwight in three additional litigations involving patents relating to lateral flow immunoassays; all actions were settled successfully, one for a publicly reported settlement of \$18 million. Another was settled following summary judgment of infringement followed by a jury verdict of validity
- *Ossur North America, et al. v. Freedom Innovations, et al.* (C.D. Cal.) Obtained a favorable settlement in representing Ossur North America, et al., a leading manufacturer of orthotics and prosthetic devices, in separately filed patent infringement and unfair competition actions respecting prosthetic devices
- *Molnlycke Health Care AB et al. v. Medline Industries, Inc., Ossur N. Am. Inc.* (N.D. Ga.) Obtained a favorable worldwide settlement in defending Ossur North America in a patent litigation brought by Molnlycke Health Care AB in the U.S. and Sweden involving wound care products
- *SPD Swiss Precision Diagnostics GmbH v. Church & Dwight Co., Inc.* (D.N.J.) and *Church & Dwight Co., Inc. v. SPD Swiss Precision Diagnostics GmbH* (D.N.J.) Represented Church & Dwight in a series of actions involving claims for false advertising concerning consumer pregnancy, ovulation and fertility tests

- *Robert Gordon et al. v. Church & Dwight Co., Inc.* (N.D. Cal.) Obtained dismissal, on behalf of Church & Dwight, of a false advertising complaint concerning the labeling on Church & Dwight's TROJAN-ENZ spermicidal lubricated condoms
- *Vongslay v. Church & Dwight Co., Inc.* (S.D. IL) Obtained dismissal, on behalf of Church & Dwight, of a class action complaint against Church & Dwight's Baby Orajel teething pain medicine

#### Practices

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Intellectual Property, False Advertising & Trademark, Patent Law, Restrictive Covenants, Trade Secrets & Unfair Competition, Privacy & Cybersecurity, Mass Torts & Product Liability

#### Industries

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Health Care, Life Sciences, Private Capital

#### Market Solutions

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Proskauer+Tech

#### Education

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St. John's University School of Law, J.D.

*cum laude*

St. John's University, B.S.

#### Admissions & Qualifications

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New Jersey

New York

U.S. Patent and Trademark Office

#### Court Admissions

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U.S. District Court, New York, Southern District

U.S. Court of Appeals, Federal Circuit

U.S. District Court, New York, Eastern District

U.S. Court of Appeals, Second Circuit

#### Memberships

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American Intellectual Property Association

Association of Medical Diagnostics Manufacturers

Intellectual Property Owners Association

International Association for the Protection of Intellectual Property

International Federation of Industrial Property Attorneys

Italy America Chamber of Commerce, Inc.

Japanese Chamber of Commerce and Industry of New York, Inc.

New York Intellectual Property Association

#### Awards & Recognition

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JD Supra Readers' Choice Life Sciences 2022

Lawdragon 500 Leading Litigators in America 2023-2025

The Legal 500 United States: Trademarks: Litigation: 2021-2022

The Legal 500 United States: Media, Technology & Telecoms: Marketing &

Advertising: 2011-2012, 2020-2024 (Leading Lawyer 2024)

IAM Patent 1000 – The World's Leading Patent Practitioners 2014-2021, 2023

New York Super Lawyers 2015-2024

New York Super Lawyers "Rising Stars," 2013

Managing Intellectual Property IP STARS 2023-2024

#### Languages

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Italian