

# Kramer Day Adds Expert IP Litigator From Windels Marx

By **Parker Quinlan**

Law360 (April 13, 2022, 10:36 AM EDT) -- Intellectual property firm Kramer Day Alberti Lim Tonkovich & Belloli LLP has added an expert patent litigator from Windels Marx as a partner.

James Barabas says the decision to move to Kramer Day from his position as special counsel at midsize Windels Marx came after his friend and now fellow partner Russell Tonkovich convinced him to join.

"I've known of Kramer Day's reputation and the firm's remarkable successes in significant patent litigation throughout the country," Barabas said in a statement. "Russ and I worked together as patent litigators some years ago, and I know of his and Kramer Day's commitment to excellence."



James Barabas

Barabas said he has represented clients on patent disputes including camera tripods and sippy cups, as well as on behalf of higher-profile pharmaceutical companies like Dr. Reddy's Laboratories Ltd.

"We managed to successfully argue a series of dispositive motions on the basis of obviousness right before the start of the pandemic on behalf of Dr. Reddy's," Barabas said.

The lawsuit, brought by Amarin Pharma Inc., involves a generic version of its **omega-3 heart drug Vascepa**, which Barabas was able to help nix on behalf of Dr. Reddy's back in 2020.

Barabas also helped secure a win at the appellate level after Amarin appealed to the Federal Circuit a year later, where **a three-judge panel** affirmed the Nevada federal court's determination that the patent claims were too obvious.

Barabas also worked with UBS Financial Services Inc. in a patent suit over its **financial modeling system**.

The lawsuit, filed by software company Financeware Inc., doing business as Wealthcare Capital Management, claimed UBS infringed its financial planning software.

Barabas said the suit, which was filed in 2011, was resolved amicably, without providing specific details.

Looking forward to his current role at Kramer Day, Barabas said he's excited to keep working at a firm with a national profile.

"Kramer Day has got a strong nationwide practice and in terms of the firm's trial abilities they've had a tremendous amount of success in trials and major cases," Barabas said. "I'm looking forward to litigating cases at trials across the country and helping build on the firm's successes moving forward."

Barabas graduated with an undergraduate degree in chemistry from Dartmouth University in 1996 and is a 2000 graduate of the University of Pennsylvania Law School.

Kramer Day is a boutique firm that focuses exclusively on intellectual property issues. According to its website, the firm was founded in 2010 and has grown to 21 attorneys.

Robert Kramer, another partner at Kramer Day and a member of the 2022 *Law360 California Editorial Advisory Board*, echoed that Barabas' hiring comes at a time of expansion for the firm.

"Jim has a very strong national reputation," Kramer said in an email statement. "He joins as a partner in New York soon after Robert Mattson recently joined as a partner in Washington, D.C. in furtherance of our Silicon Valley-based firm's national expansion."

--Editing by Alyssa Miller.

*Update: This article has been updated with a quote from Robert Kramer*