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Farmington Hills firm represents well-known medical device company in patent infringement case

By John Turk, The Oakland Press

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A Farmington Hills law firm helped get a \$17.1 million jury verdict in a recent medical device patent infringement case in Texas between two major suppliers.

Farmington Hills-based Young & Associates represented arthroscopic surgery technology firm Arthrex, which is based in Naples, Florida, in a case against United Kingdom-based Smith & Nephew, Inc., and its subsidiary, Austin, Texas-based ArthroCare.

Ultimately, the jury trial in the Eastern District of Texas's federal court ended with a verdict that ArthroCare and its parent company willfully infringed upon two medical device patents Arthrex owned.

Arthrex is well known across the country, having developed more than 10,000 innovative devices and surgical procedures to advance orthopedic surgery across the globe. Many medical specialists testified at trial, including Dr. Neal S. ElAttrache, team orthopedic doctor for the Los Angeles Rams and Los Angeles

Dodgers.

Jury members found that 13 products lines from Smith & Nephew and ArthroCare products infringed upon Arthrex patents involving knotless and cross-support technology, a revolutionary design used globally by surgeons to affix soft tissue to bone in surgical procedures such as rotator cuff surgery.

Because Smith & Nephew and ArthroCare knowingly violated the patents, the initial \$17.1 million in damages may be increased to a total of nearly \$60 million when Arthrex seeks enhanced damages due to the jury finding that the defendants acted willfully, according to Young & Associates.

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