

## Rising Star: Akin Gump's Steven Maslowski

By **Brendan Pierson**

*Law360, New York (March 29, 2010)* -- In 2008, Akin Gump Strauss Hauer & Feld LLP partner Steven Maslowski brought a \$300 million patent suit against Ethicon Endo-Surgery Inc. to a halt midtrial by eliciting new testimony during cross-examination — just one achievement that has earned him a spot on Law360's list of 10 intellectual property lawyers under 40 to watch.

In that case, filed by Tyco Healthcare Group LP over a patent on an ultrasonic surgical scalpel, Maslowski elicited testimony from one of Tyco's witnesses on cross-examination that called Tyco's ownership of the patent into question, which led the judge to allow Ethicon to introduce new documents into evidence.

Maslowski then drew out more testimony during a second cross-examination of a Tyco witness that led the judge to grant Ethicon judgment as a matter of law before the trial was even completed, without the benefit of a previous deposition.

The key to that victory, Maslowski said, was that he and his team were able to think on their feet, instead of adhering to a rigid plan.

“We were nimble and flexible in our approach to the case,” he said.

Maslowski also led the damages portion of Centocor Ortho Biotech Inc.'s patent infringement suit against Abbott Laboratories over arthritis drug Humira, which resulted in a record-setting \$1.67 billion jury verdict.

In that case, cross-examination also played a key role, with Maslowski leading the cross-examination of Abbott's most important damages expert, whose testimony the jury rejected.

Those cases are only the two biggest in a series of career successes. Maslowski also represented Constar International Inc. in a patent infringement suit against Continental PET Technologies Inc. over oxygen-scavenging technology, which ended in a settlement that included a \$25.1 million payment for Constar.

At 36, Maslowski, who works out of the firm's Philadelphia office, has also worked on numerous trade secrets and trademark matters, as well as import investigations before the U.S. International Trade Commission.

Maslowski didn't attribute his success to any particular secret, but simply to “general client satisfaction on all the matters that I've worked on.”

He said he had encountered few obstacles as a result of his age at Akin Gump.

“A challenge may be that sometimes there's a bias to go to people who are more experienced on the most challenging or complex witnesses or issues,” Maslowski said. But he said that his colleagues never stood in his way once he demonstrated his merit.

If you're good, Maslowski said, “these folks give you the opportunity, and you take the bull by the horns.”

Taking initiative is the most important thing a young attorney looking to succeed quickly can do, he said.

“Never stop trying to think creatively,” Maslowski said. “Never think that just because someone older than you and further up the hierarchy comes up with a plan, you just stop thinking and carry it out.”

Maslowski earned his J.D. at George Washington University Law School, and his B.S. at Pennsylvania State University. He is currently an adjunct professor at Temple University Law School, where he teaches an upper-level class in patent litigation and strategy.

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