



Joshua Kipnees

Partner

jkipnees@pbwt.com

Tel: 212-336-2838

Joshua Kipnees is a Partner in the Firm's Litigation department. His practice focuses on false advertising and complex commercial litigation, including matters relating to asset-backed securities transactions and successor liability. Mr. Kipnees has represented clients in the food and beverage, insurance, pharmaceutical, cosmetics, and financial industries in both state and federal courts. Mr. Kipnees has also led numerous internal investigations for pharmaceutical and medical device companies involving regulatory and compliance reviews. He also co-edits the Firm's food, drug, and cosmetic false advertising blog, *Misbranded*.

Mr. Kipnees has been named to *Benchmark Litigation's* 2020 "40 & Under Hot List." This list recognizes practitioners who "are among the top young talent in their respective communities in the U.S. & Canada."

From 2009 to 2010, Mr. Kipnees served as Law Clerk to Chief Justice Rabner, New Jersey Supreme Court, and from 2010 to 2011, he served as Law Clerk to the Hon. Leonard I. Garth, U.S. Court of Appeals for the Third Circuit.

Representative Matters

False Advertising

Defending leading cosmetics companies against putative class action claims of false advertising.

Successfully represented major beverage company in defense against Lanham Act false advertising claims, obtaining jury verdict that naming and labeling of company's product did not mislead consumers.

Successfully secured nationwide preliminary injunction for leading animal-health company against false advertisements claiming inferiority of dairy products from cows treated with company's supplement.

Defended manufacturer of consumer products in Lanham Act competitor dispute regarding labeling of wound-care products.

Investigations

Representing global healthcare company in connection with internal investigations and government investigations relating to potential FCPA and compliance issues.

Represented members of sales and trading desks at major international bank in connection with federal investigation regarding sale of securities.

Patterson Belknap

Assisted private university in connection with research-misconduct internal investigations.

Commercial Litigation

Represent and advise clients regarding litigation and potential claims involving successor and vicarious liability.

Successfully secured judgment for multinational pharmaceutical company in tariff dispute with U.S. Customs confirming company's blockbuster drug can be imported duty-free.

Representing financial-guaranty insurer in variety of lawsuits involving governance and administration of student loan-backed securities.

Represented financial-guaranty insurer against unfair-pricing claims relating to the guaranty of municipal bonds.

Pro Bono

Secured favorable settlement for former tenants in suit against landlord for property damage caused by fire.

Successfully obtained sentence reduction for defendant challenging his criminal conviction on appeal.

In the Media

Popular Science, "[Evidence Shows Juul Illegally Marketed Vaping as Safer than Smoking](#)" (September 10, 2019)

Law 360, "[What The Experts Said About High Court Rulings This Term](#)" (June 30, 2017)

Education

- Harvard Law School (J.D., 2009)
 - Executive Editor, *Blackletter Law Journal*
- Harvard University (B.A., *magna cum laude*, 2006)

Admissions

- U.S. Court of Appeals, Federal Circuit
- U.S. District Court, Southern District of New York; District of New Jersey
- U.S. Court of International Trade
- New York
- New Jersey