



## Steven A. Zalesin

Partner

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Steve Zalesin is a nationally recognized trial lawyer with extensive experience in intellectual property, false advertising and complex commercial matters. He has successfully tried cases and argued appeals in numerous courts throughout the United States. He has also represented clients in arbitration proceedings in several countries.

For more than 30 years, Mr. Zalesin has represented the nation's leading manufacturers and service providers in a series of landmark cases that have shaped the law of false advertising, while helping to preserve and grow the markets for our clients' products. He recently secured a federal jury verdict for the world's leading beverage company in a closely-watched advertising dispute over juice labeling. Mr. Zalesin initially obtained summary judgment dismissing the claims against our client, and successfully defended that ruling before the Ninth Circuit. The U.S. Supreme Court subsequently vacated the Ninth Circuit's decision, and remanded the case for trial. The Los Angeles jury rejected the plaintiff's claim in full, returning a verdict in our client's favor after a six-day trial and less than a day of deliberation. As a result of the favorable verdict, Mr. Zalesin was named "Litigator of the Week" by *The American Lawyer* (March 24, 2016). More recently, Mr. Zalesin obtained a nationwide preliminary injunction for a leading animal health company, enjoining ads that falsely claimed that dairy products made with milk from cows treated with our client's supplement were unsafe and less wholesome than other dairy products.

A significant portion of Mr. Zalesin's practice involves high-stakes commercial disputes in the pharmaceutical, medical device and biotech industries. He recently co-tried a closely-watched case on behalf of a leading pharmaceutical company against a competitor, arising out of the competitor's acquisition of another major player in the industry. The case settled on terms favorable to our client.

Mr. Zalesin also represents Fortune 50 companies in patent litigation. In 2014, he co-tried an ANDA case that resulted in an injunction against the launch of a generic version of our client's billion-dollar AIDS drug. In another win, Mr. Zalesin obtained summary judgment on behalf of the world's largest software company, demonstrating that a competitor's patent on voice recognition technology was obvious as a matter of law.

Mr. Zalesin has substantial experience defending consumer class actions. He is currently representing major beverage and confectionary producers in litigation over their product labeling and advertising. In 2020, he obtained dismissal of a class action complaint that targeted a leading online petitioning platform and its efforts to promote racial justice. In the recent past, he has successfully defended the makers of several best-selling food, beverage and pharmaceutical products against consumer protection claims.

Mr. Zalesin is listed in *Chambers USA* as a leading practitioner in the area of Advertising, where he is described as a "top-drawer," "trustworthy" and "highly desired advertising litigator." Clients praise his "superb conduct in

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*front of judges and incredible industry knowledge.*” In addition to his individual recognition, the Firm has been named “Advertising Firm of the Year” by *Chambers USA*.

Mr. Zalesin is listed as “Litigation Star” in Euromoney Institutional Investor PLC’s *Benchmark: America’s Leading Litigation Firms and Attorneys*. He is recognized in *The Best Lawyers in America*® in the area of Advertising Law, and was named as a 2020 “Client Service All-Star” by BTI. This award recognizes attorneys who “stand above all the others in delivering the absolute best in client service.”

## Education

- University of Pennsylvania Carey Law School (J.D., *cum laude*, 1985)
  - Editor, *University of Pennsylvania Law Review*
- Syracuse University (B.S., *magna cum laude*, 1982)

## Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, First Circuit; Second Circuit; Third Circuit; Seventh Circuit; Eighth Circuit; Ninth Circuit; Federal Circuit; D.C. Circuit
- U.S. District Court, Southern and Eastern Districts of New York; Eastern District of Wisconsin; Northern District of Florida
- New York

## Professional Activities

HONORS: Recognized in *Chambers USA* in the area of Advertising; Listed as a “Litigation Star” for New York in Euromoney Institutional Investor PLC’s *Benchmark: America’s Leading Litigation Firms and Attorneys*; Named in *The Best Lawyers in America*® in the area of Advertising Law; Named in *Super Lawyers* in the area of Intellectual Property Litigation.

## SPEAKING ENGAGEMENTS:

- “Five Years of BioPharma IPRs: Where We Are and What Now,” Bloomberg BNA Webinar (September 15, 2017)
- “Follow-On Consumer Class Actions: Risk Avoidance and Defense Strategies,” American Conference Institute (October 21, 2015)
- “Inter Partes Review (IPR) Proceedings for Biotech and Pharmaceutical Patents: Key Strategies for U.S. Patent Owners,” Association of Corporate Counsel Webcast (June 17, 2015)