

Miller & Martin's Life Sciences team can help your business address challenges at every stage of the product life cycle so you can defend your bottom line and public image. Our attorneys are experienced in helping companies comply with regulations, manage risks and protect their intellectual property.

Companies developing and distributing consumer products face a complex set of regulations and increased government scrutiny. We assist our clients in complying with FDA regulations, whether they are developing a drug or a device. Sound counsel from our team during the product development phase in respect to labeling and advertising positively positions your company to mount a vigorous defense against slack-fill, false advertising, false claims and other consumer protection lawsuits.

We are also experienced in helping clients protect their unique products and processes from threats and challenges posed by a competitive marketplace. Our litigation attorneys help clients protect their intellectual property rights, through litigation in patent, trademark, trade secret and other pertinent areas of competition law. We also serve as counsel for pharmaceutical and consumer product companies in Lanham Act cases challenging and defending product advertising claims.

Once products are in the marketplace, companies are often targeted with well-funded, multi-jurisdictional product liability campaigns focused on one drug or medical device as the mass tort of the moment. We are experienced in representing national and multi-national companies and their directors. We have a strong record of helping Life Sciences businesses overcome the challenges of high-stakes investigations, complex litigation and crisis management circumstances.

Miller & Martin's litigation attorneys have acted as local and national counsel in the defense of claims arising from various pharmaceuticals, dietary supplements and medical devices including opioids, fertility drugs, diet drugs containing Ephedra and phenylpropanolamine ("PPA"), health and beauty products containing talc, food and beverages, and medical devices such as breast implants, medical test devices, heart valves and latex gloves.

On some occasions, product recalls are necessary to manage potential liability. Our attorneys have advised on product recalls and strive to reduce the impact of a product recall on your company's revenue and reputation.

Our representation of Life Sciences companies extends beyond product-related issues. Our attorneys experienced in other [related practices](#) also help companies negotiate contracts, obtain trademark protection, complete mergers and acquisitions and defend themselves against labor and employment claims.

SELECTED EXPERIENCE

- Acting as national coordinating counsel, currently representing consumer product companies in defense of multi-state product liability litigation regarding talc.
- Currently representing a drug distributor in opioid litigation filed in Tennessee and Georgia.
- Product packaging and labeling counsel involving products containing hemp-derived ingredients such as CBD oil.
- We have effectively defended numerous lawsuits involving generic drug and supplement products in litigation across the United States.
- Our attorneys represent manufacturers in disputes over trade rights and positioning with major databases.
- The firm acted as national coordinating counsel for a publicly traded consumer products company in the defense of hundreds of cases alleging injuries from PPA. These cases were filed in dozens of states, including several class actions, and the federal cases were consolidated for pretrial purposes in a multi-district litigation in Seattle, Washington. As national counsel, Miller & Martin coordinated and supervised the efforts of local counsel in almost every state and worked with national counsel for other defendants to present a coordinated industry-wide defense to these claims. Ultimately, the firm successfully negotiated and implemented a nationwide class action settlement that resolved substantially all of the pending claims on terms that were very favorable to its client.

- The United States Bankruptcy Court for the Southern District of New York appointed Miller & Martin to serve as the national Claims Reviewer for the Delaco Settlement Trust. In this capacity, the firm's attorneys reviewed and evaluated approximately 300 pharmaceutical liability claims against a settlement fund of more than \$120 million.
- The members of Miller & Martin's Life Sciences Litigation Group have extensive experience in the pretrial discovery, Daubert analysis and practice, expert witness discovery and management, and the trial of complex cases to jury verdict. The depth and breadth of the firm's experience ensure that services are delivered in an effective and cost-efficient manner.

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