



Mr. Kozuch litigates intellectual property and commercial matters, and has been lead counsel in jury trials, bench trials, and hearings in cases involving patent and trademark infringement, misappropriation of trade secrets, breach of non-compete agreements, breach of contracts, false advertising, and unfair competition. He also counsels clients on intellectual property law, prepares and prosecutes U.S. and international patent applications, and provides opinions on patentability, infringement, and validity. He is an arbitrator for the American Arbitration Association (AAA) and the International Centre for Dispute Resolution (ICDR), and a Licensed Professional Engineer. He served on the Board of Commissioners for Salisbury Township and on the Board of Commissioners for Lehigh County. Mr. Kozuch also served on the Board of Directors of the Bar Association of Lehigh County for nine years and is a Past President of the Association.

Awards & Recognitions

- Martindale Hubbell AV Preeminent Rated
- Best Lawyers in America, 2013-2024
- Pennsylvania Super Lawyer, 2004-2023
- Trial Advocacy Award for Achievement in the Field of Trial Advocacy, The Barristers Society, Temple University School of Law

Industries Served

- Aerospace
- Automotive
- Chemicals
- Cleantech
- Consumer Products
- Energy
- Engineering & Construction
- Financial Services
- Materials Handling
- Medical Devices
- Pharmaceuticals
- Other High Technology

Related Representative Matters

- Served as a sole arbitrator in two royalty dispute cases involving oil & gas leases in the Marcellus Shale gas play
- Served as an arbitrator in a dispute over alleged breaches of a license agreement for proprietary rights relating to cannabis transdermal patches, plus counterclaims for fraud and tortious interference
- Represented six generic pharmaceutical manufacturers in eleven ANDA litigations in five jurisdictions (DE, NJ, NY, IL, PA)

CONTACT INFORMATION

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Practice Areas

- ANDA Litigation
- Alternative Dispute Resolution
- Clearance Opinions
- Client Counseling
- Commercial Litigation
- Copyright Infringement Litigation
- Due Diligence Studies
- Infringement Opinions
- International Patents
- Licensing Agreements
- Patent Infringement Litigation
- Patent Procurement
- Trade Secrets Litigation
- Trademark Infringement Litigation
- Validity Searches and Opinions

Admissions

- Pennsylvania
- U.S. Patent and Trademark Office
- U.S. Supreme Court
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the E. D. Pennsylvania
- U.S. District Court for the W. D. Pennsylvania
- U.S. District Court for the M. D. Pennsylvania
- U.S. District Court for the W. D. Michigan

Education

- J.D., Temple University School of Law
- MBA, Lehigh University
- BSME, Cornell University

- Prepared memorandum on patent infringement damages for pharmaceutical client and assisted in decision which saved hundreds of millions of dollars
- Successfully represented generic pharmaceutical company in ANDA litigation involving Niaspan® (niacin extended release)
- In re '318 Patent Litigation, 578 F.Supp.2d 711 (D. Del. 2008), aff'd, 583 F.3d 1317 (Fed. Cir. 2009). Represented one of generic manufacturers in a patent infringement suit filed under 35 U.S.C. § 271(c)(2) regarding ANDA filing for an Alzheimer's drug sold under the name Razdyne®/Reminyl® (galanthamine)
- Obtained jury verdict of \$404,000 for client and defeated \$216,000 counterclaim in action against consultant for failure to properly design computerized information system. Judgment was affirmed on appeal
- Procured family of patents on multiple inventions in eight countries for technology which client licensed in a multi-million dollar deal
- Salvaged valuable patent coverage from patent applications narrowly drafted and ineffectively prosecuted by prior counsel for medical device manufacturer
- Served as an arbitrator in a medical device case involving a claim for breach of a royalty agreement and a counterclaim for patent misuse/antitrust violation, and various defenses, including forgery and conspiracy
- Served as an arbitrator in an energy-related case involving claims for breach of a covenant not to compete, misappropriation of trade secrets, breach of contract, and trademark infringement
- Served as an arbitrator in a chemicals supply case for breach of a supply agreement and payment of royalties pursuant to a royalty agreement, plus a counterclaim for damages and a patent infringement defense
- Served as an arbitrator in a dispute over an alleged breach of a franchise agreement for a restaurant in which the claimant sought damages and an order that respondent be required to discontinue use of trade names, trademarks, and service marks
- Served as an arbitrator in a dispute over alleged breaches of several related agreements between a manufacturer of metal alloys and an exclusive sales agent for the metal alloys
- *Schmidt v. Finish Line, Inc.*, 2000 U.S. Dist. LEXIS 6248 *; 2000 WL 565216 (E.D. Pa. 2000). Successfully represented plaintiff in trademark infringement case
- Obtained favorable settlement for client in copyright infringement case when defendant agreed to remove all infringing merchandise from its chain of stores

Related Posts

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- Caesar Rivise, PC Attorneys Named to 2023 "Best Lawyers in America"
- Lehigh Valley International Airport to Feature Caesar Rivise, PC Client's COVID-Destroying LifeAire Systems Air Purification System
- Caesar Rivise, PC Client's COVID-Destroying LifeAire Systems Installed in Carbon County Hospital
- Caesar Rivise, PC Attorneys Recognized by "Best Lawyers in America"
- Caesar Rivise PC Receives Tier 1 Ranking in 2021 from Best Lawyers – U.S. News & World Report
- Caesar Rivise, PC Attorneys Recognized by "Best Lawyers in America"
- Arbitration of Commercial and IP Disputes Presentation at Lehigh University
- Ten Caesar Rivise, PC Lawyers are 2020 SUPER LAWYERS
- Patented Technology of Caesar Rivise, PC Client LifeAire Systems Removes COVID-19 from Air
- Arbitration Basics Presentation at Lehigh University by James J. Kozuch
- Caesar Rivise Client Receives Innovative Application of Technology Award from the Ben Franklin Technology Partners
- The Deepest Bench of the Best Lawyers
- CR Attorney Kozuch Elected President of Bar Association of Lehigh County
- Caesar Rivise PC Receives Tier 1 Ranking in 2019 from Best Lawyers – U.S. News & World Report
- CR Client LifeAire Systems' Patented System Used by Top Fertility Lab in U.S.
- CR Partner Featured in Academy of Court Appointed Masters Newsletter
- Caesar Rivise Attorneys Named to 2017 Pennsylvania Super Lawyers
- CR Partner Elected Delegate to Pennsylvania Bar Association House of Delegates and Vice President of Bar Association of Lehigh County
- CR Attorney Provides Introduction to IP for Local Artists
- Caesar Rivise Attorneys Named to 2017 "Best Lawyers in America"
- CR Attorneys Named 2016 Pennsylvania Super Lawyers
- CR Partner Appointed as a Delegate to Pennsylvania Bar Association House of

Delegates and Elected Secretary of Board of Directors of Bar Association of
Lehigh County

- Supreme Court Places Burden of Proving Infringement on Patentee