



John E. Flaherty

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Intellectual Property | IP Litigation | Life Sciences | Healthcare

A litigator in a wide range of technologies.

John E. Flaherty's practice is focused on civil litigation in State and Federal courts. He is experienced in handling trade secret and patent infringement matters on behalf of plaintiffs and defendants. He regularly assists in Hatch-Waxman litigation on behalf of major pharmaceutical companies.

John represents defendants in all types of tort cases arising from product defects, medical devices and pharmaceutical products, chemical exposures and industrial processes and building products. He has represented defendants in single plaintiff and mass tort cases and employment discrimination and whistleblower cases.

John is a member of the Local Patent Rules Committee of the United States District Court for the District of New Jersey, as well as, the Lawyers Advisory Committee of the United States District Court for the District of New Jersey. He is a Master and past Director of the John C. Liffand American Inn of Court. John was for many years an author of *The Civil Trial Handbook*, Volume 47 of the Thomson-West New Jersey Practice Series.

Representative Matters

Defendant—Patent infringement/trade secret litigation

Represented defendant in patent infringement/trade secret action involving skin cream formulation.

Alleged infringer—Patent litigation

Represented defendant, alleged infringer, in patent matter involving plumbing device.

Plaintiff/patentee—Patent infringement litigation

Represented plaintiff/patentee in patent infringement action against industrial infringer of machine control patent.

Defendant—Patent litigation

Represented defendant in UV light disinfection case resulting in invalidity of asserted patent on method for use of UV to inactivate cryptosporidium parvum in drinking water.

Defendant—Patent litigation

Represented defendant in matter before the Court of Federal Claims alleging infringement of patent on method to solidify dredge materials.

Manufacturers of various consumer and industrial products—Defense against personal injury claims

Defended manufacturers of various consumer and industrial products including ladders, compressors, propane valves, press brakes, bottling machinery, garage door openers, and vehicle components against personal injury claims alleging product defect.

Asbestos insulation manufacturer—Defense against personal injury claims

Defended a major asbestos insulation manufacturer against personal injury, medical monitoring, and wrongful death claims.

Major chemical manufacturer—Defense against personal injury claims

Defended a major chemical manufacturer against personal injury claims brought by plant neighbors and employees alleging personal injury and medical monitoring claims from exposure to dioxin.

Medical device manufacturer and pharmaceutical companies—Mass tort claims

Defended a medical device manufacturer and pharmaceutical companies against mass tort claims of immunologic, cardiovascular, and psychiatric injuries.

Medical device manufacturer—Personal injury litigation

Defended a medical device manufacturer against systemic disease claims.

Major manufacturer—Defense against alleged water contamination

Defended a major manufacturer against claims of a birth defect in an employee's child from consumption of well water on defendant's premises allegedly contaminated with TCE.

Vendor of garage door openers—Defense against personal injury claim

Defended a vendor of garage door openers against a claim that defective design and installation resulted in severe injury to a homeowner.

Vocational school and school district—Defense against employment discrimination

Represented a county vocational school and city school district against employment discrimination and whistleblower claims.

Plaintiffs—Various personal injury and wrongful death actions

Represented plaintiffs in various personal injury and wrongful death actions involving motor vehicle accidents, police shootings, rape/premises liability, and drowning.

Wheel manufacturer—Personal injury claim

Defended a manufacturer of cast aluminum wheels against a claim that a wheel collapsed and caused an accident.

Individual client—Wrongful death litigation

Wrongful death of a minor in a traffic accident.

Motorist—Personal injury litigation

Severe injury to an innocent motorist in a police shooting.

Individual client—Premises liability litigation

Represented a rape victim in claim against landlord.

Education

Harvard Law School, JD, 1973

Trinity College, BA Psychology, 1970

• Phi Beta Kappa

Bar Admissions

New Jersey

New York

Court Admissions

U.S. District Court, District of New Jersey

U.S. District Court, Southern and Eastern Districts of New York

U.S. Court of Appeals, Third Circuit

U.S. Court of Appeals, Federal Circuit

U.S. Court of Federal Claims

Memberships & Affiliations

American Bar Associations

New Jersey Bar Association

Essex County Bar Association

American Intellectual Property Law Association

United States District Court, District of New Jersey

Local Patent Rules Committee

United States District Court, District of New Jersey

Lawyers Advisory Committee

Recognitions

IAM Patent 1000, 2019

New Jersey Super Lawyer, 2005–2006 and 2008–2019

Books

Civil Trial Handbook, Volume 47 with Annual Supplements, The Thomson West New Jersey Practice Series, 1.1.2006