



Erin R. Conway

Counsel

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Practice Focus

- Intellectual property
- Intellectual property litigation and dispute resolution
- Patents
- International protection
- Startup and venture capital

Erin Conway is an intellectual property attorney, providing end-to-end legal advice and service to her clients. Erin works closely with her clients to develop comprehensive and business-focused protection, monetization, enforcement, and dispute resolution strategies, taking into account all areas of intellectual property, licensing, and contracts.

In particular, Erin has significant experience representing clients of all sizes in FDA-regulated industries, including food, beverage, nutritional supplement, cosmetic, drug and medical device companies, and understands the effect FDA and FTC compliance issues often has on IP strategy. Erin provides FDA regulatory compliance, including labeling and good manufacturing practices (cGMPs), and dispute resolution advice to clients in this space. She has also successfully defended clients in these industries against claims for patent infringement, and false advertising and unfair competition under the Lanham Act and state laws in both the federal courts and the ITC.

Erin is a skilled intellectual property and commercial litigator, with particular experience defending generic pharmaceutical companies in Hatch-Waxman/Paragraph IV patent infringement actions. Clients trust Erin to efficiently move a case along because of her significant involvement in all phases of litigation (trial and appellate levels) including fact and expert discovery, motion practice, claim construction, summary judgment briefing, trials, and appellate briefing. Erin's litigation experience spans across many technology areas, including pharmaceuticals, computer and software systems, and medical devices.

In addition to her litigation practice, Erin has prepared and prosecuted numerous U.S. and foreign patents across a wide variety of technical fields, with significant expertise in medical devices and systems (including diagnostic, orthopedic, and surgical devices), mechanical devices, cosmetics, and nutritional supplements. Erin has also significant experience with patenting software and computer-based systems, particularly those involving digital health and therapeutics and bioinformatics.

Erin also provides valuable patent and regulatory landscape evaluations and freedom to operate opinions to her clients, and regularly drafts and reviews IP licenses and related contracts.

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Before joining McDonald Hopkins, Erin prosecuted and litigated patents and other IP at highly respected intellectual property boutique firms in both Chicago and Connecticut. While in law school, Erin was a judicial extern to both Magistrate Judge Arlander Keys of the Northern District of Illinois and the Honorable Richard D. Cudahy of the United States Court of Appeals for the Seventh Circuit. Erin served as an Executive Articles Editor of the Chicago-Kent Law Review.

Erin earned her J.D., with honors, from the Chicago-Kent College of Law and her B.S.E in biomedical engineering, with honors, from the University of Michigan.

Admissions - Court

- U.S. Court of Appeals for the Federal Circuit
- U.S. District Court for the Northern District of Illinois
- US District Court for the District of Connecticut
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York
- U.S. Patent and Trademark Office

Admissions - State

- Illinois
- New York
- Connecticut

Education

- Chicago-Kent College of Law
- University of Michigan

Professional Membership

- Illinois Science Council, Associates Board Member
- University of Michigan Alumni Association
- Illinois State Bar Association
- Intellectual Property Law Association of Chicago
- Chicago Women in IP (ChiWiP)
- Federal Circuit Bar Association
- American Women in Science
- Field Museum Women in Science

Public Service and Volunteerism

- Adjunct Professor, Chicago-Kent College of Law, Intellectual Property and Technology Licensing

Alerts

- Facilitating Innovation to Fight Coronavirus Act: Would it help or hurt patent owners?

Blog Posts

- FDA discontinues Emergency Use Authorization reviews for laboratory developed tests
- Rebranding or launching a new product in the CPG space? Don't neglect intellectual property
- FDA announces new Coronavirus Treatment Acceleration Program
- FDA issues first Emergency Use Authorization for laboratory developed test for COVID-19 to Yale New Haven Hospital
- FDA's emergency use authorization policy for COVID-19 diagnostic tests
- Industry updates: FDA Emergency Use Authorizations for novel coronavirus diagnostic testing
- Non-medical companies filling medical equipment voids
- Service industry crowdsourcing funds amid coronavirus shutdowns and scale-backs
- State and federal offices seek to protect consumers by cracking down on false and misleading COVID-19 treatment claims

News

- Erin Conway joins MH Intellectual Property Department as counsel in Chicago office

External Publications

- "A Recipe for Patent Protection: Are food products patentable?," ILN IP Insider, April 2020
- "The Monopoly Game: Has the Seventh Circuit Given Patent Holders a Get Out of Jail Free Card?," 2 Seventh Circuit Rev. 1 (2006)
- "The Aftermath of Festo v. SMC: Is There 'Some Other Reason' for Justifying the Third Rebuttal Criteria?," Chicago-Kent Law Review, Summer 2007
- "Best Practices In Light Of E-Discovery Reform," LAW360, January 9, 2014

Events

- Protected On All Sides: IP Strategy for COVID and Beyond | Tuesday, October 6, 2020