

# Jonathan D. Mooney

OF COUNSEL, LITIGATION

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Jonathan D. Mooney focuses his practice on complex commercial litigation, including disputes involving intellectual property issues. His clients have included Abiomed, Alarm.com, Merck, Qualcomm, and SPI Group.

Mr. Mooney's representative matters include:

- Representation of SPI Group in its dispute against the Russian Federation over the ownership of the famous Stolichnaya vodka trademarks, as well as in a dispute with Brad Pitt concerning the ownership and management of Château Miraval, a leading wine producer.
- Representation of Abiomed as plaintiff in a trade secret and breach of contract action in Massachusetts federal court against Enmodes GmbH and its founder, alleging Enmodes wrongfully disclosed Abiomed's confidential information and trade secrets.
- Secured numerous victories for Alarm.com in patent infringement litigation brought by Vivint concerning interactive security and home automation technology, eliminating over 100 claims with respect to five of Vivint's patents in Patent Trial and Appeal Board (PTAB) decisions and repeatedly knocking back Vivint's attempts to reverse those rulings on appeal. Following eight years of litigation in multiple jurisdictions, the Cravath team helped secure a favorable resolution for Alarm.com to end all litigation between the parties.
- Representation of Light & Wonder (formerly Scientific Games Corporation) in putative class action and individual antitrust litigation concerning automatic card shufflers used in casinos.
- Representation of Biogen in litigation concerning its introduction of a biosimilar to Genentech's rheumatoid arthritis drug Actemra® (tocilizumab) under the Biologics Price Competition and Innovation Act (BPCIA), and

secured a settlement relating to the same.

- Representation of Axalta Coating Systems against claims by PPG that the company infringed a PPG patent on tri-layer coating systems in the automotive industry.
- Representation of Qualcomm in several matters relating to the company's patent licensing and chipset businesses, including:
  - *FTC v. Qualcomm Incorporated*: A suit filed by the U.S. Federal Trade Commission (FTC) in California federal court alleging violations of Section 5 of the FTC Act and seeking a permanent injunction against Qualcomm. In August 2020, in a complete defense victory for Qualcomm, the Ninth Circuit unanimously reversed the district court's prior judgment and vacated a permanent, worldwide injunction that had prohibited several of Qualcomm's core business practices.
  - *Apple Inc. v. Qualcomm Incorporated*: An action filed by Apple against Qualcomm in California federal court. Following opening statements at trial, the parties reached a global settlement that included a payment from Apple to Qualcomm; the companies also reached a six year license agreement and a multi-year chipset supply agreement.
- Representation of Merck as plaintiff in two Hatch Waxman lawsuits in New Jersey federal court seeking to enjoin the marketing and sale of generic versions of Merck's antifungal agent, Noxafil® (posaconazole): (i) an action against Actavis Laboratories concerning a tablet formulation of posaconazole; and (ii) an action against Par Pharmaceutical concerning an injectable formulation of posaconazole.

Mr. Mooney's other notable representations include:

- Representation of The Williams Companies in securing a judgment totaling more than \$600 million—following wins at trial in the Delaware Court of Chancery and on appeal to the Delaware Supreme Court—in M&A related litigation against Energy Transfer, LP related to a planned \$37.7 billion merger.
- Representation of SciPlay, a leading developer of digital games for mobile and web platforms, in putative class action securities litigation in New York and Nevada state courts alleging that offering documents issued in connection with SciPlay's initial public offering omitted material information regarding the company's business prospects and financial health. The actions were resolved with favorable settlements.
- Representation of Scientific Games ("SciGames") and its subsidiary, Bally Gaming, as well as certain members of the SciGames board of directors in securing the dismissal of a suit filed by Sylebra in the Delaware Court of Chancery alleging defendants engaged in a plan to harm Sylebra's investment in SciGames. Mr. Mooney also represented SciGames and Bally Gaming in a related suit against Sylebra in Nevada state court.

Mr. Mooney received a B.S. with honors in Chemistry and History in 2007 and a Ph.D. in Chemistry in 2014 from McGill University. He received his B.C.L. and LL.B. degree from McGill University Faculty of Law in 2017, where

he was the Citations Editor of the *Law Journal*. Mr. Mooney has six years of laboratory experience, including semiconductor nanocrystal research comprising wet chemistry synthesis, detailed spectroscopic analysis and modeling charge carrier dynamics using time-dependent quantum mechanics and semiclassical electron-transfer theory, as well as laboratory experience studying drug molecule polymorphism. He has also authored nine peer reviewed scientific publications.

Mr. Mooney joined Cravath as a summer associate in 2016 and returned to the Firm in 2017. He was named of counsel in 2024.

## **EDUCATION**

- LL.B., 2017, McGill University, Faculty of Law
- Ph.D., 2014, McGill University
- B.S., 2007, McGill University

## **ADMITTED IN**

- New York