

# Snell & Wilmer

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## **April M. Wurster**

Partner | San Diego

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### **Main Bio**

*April Wurster has a passion for transformative medicines to treat people with serious diseases. From cell and gene therapy to diagnostic technologies, she is dedicated to helping clients protect and exploit their innovations through intellectual property and technology transactions.*

With this drive and focus, April actively engages with clients as they navigate the complex legal issues that emerge as they acquire or capitalize on intellectual property. April can do this exceptionally well because she began on the inside. April worked in stem cell research at UCSF and then as an in-house lawyer for a regenerative medicine company obtaining some of the industry's first patents in cells derived from pluripotent stem cells and medical device systems for cell encapsulation and implantation.

Her depth of inside knowledge in these sectors gives her firsthand experience and context. As a result, she understands and empathizes with her clients. She can quickly grasp her clients' unique needs and objectives and tailor legal advice that helps ensure successful outcomes and long-term growth.

April currently serves as a life science partner at Snell and Wilmer's San Diego office. Today, her practice has an emphasis on patent drafting and prosecution as well as technology transactions such as manufacturing and licensing agreements.

### **Intellectual Property**

**Patents:** April assists clients from early- and mid-stage startups to public companies, as well as universities with protecting their intellectual property across a diverse range of industries, including cell and gene therapies, therapeutics, SaaS, pharmaceuticals, diagnostic tests, and medical devices. April has extensive experience conducting Freedom to Operate analyses, collaborating with scientific and technical personnel to identify patentable inventions, and drafting and prosecuting patents.

**Trademarks:** April advises international and U.S. companies on trademark matters, including trademark clearances, ensuring proper trademark usage on product marketing materials, trademark enforcement, licenses, filing and prosecuting trademark applications. April routinely counsels clients regarding name changes and brand name selection.

**Trade Secrets:** April advises clients on trade secret protections, such as identifying key trade secrets, creating trade secret registries, and developing policies for protecting trade secrets, which may include amending contracts, marking documents as trade secrets, putting access restriction controls on documents containing trade secrets, and training employees.

### **Life Sciences Transactions**

April is a member of the firm's Life Science and Medical Technology Industry Group. She provides commercial contracting advice to regenerative medicine, CDMOs, CROs, medical device, and diagnostics clients. April is well-versed in the legal requirements of regenerative medicine and CDMO clients, including their regulatory framework requirements, rapidly evolving technology, and competitive landscape. She has vast experience negotiating pre-clinical and clinical trial agreements, material transfer agreements, master service agreements, master research and development agreements, joint development agreements, collaborative research agreements, licenses, strategic alliances, acquisitions, manufacturing and supply agreements, quality agreements (R&D, manufacturing, and clinical trial), data privacy agreements, clinical study agreements, and SaaS agreements.

### **IP Litigation**

April serves as a trusted advisor for matters related to trademarks, copyright, and patents, drawing upon her broad experience with each aspect of the litigation lifecycle, from filing and discovery to jury trial or settlements.

## **Representative Experience**

- Former general counsel to a San Francisco based oncology diagnostic company overseeing the legal team and serving as a key advisor to the board
- Oversaw a San Diego based diagnostic company's intellectual property strategy and enforcement, including protection of new ideas, management of the company's patent and trademark portfolio, and working with business units to ensure intellectual property is identified and protected including IP assessments for the release of four COVID-19 detection assays in 2020
- Managed a San Diego based medical device company's IP portfolio by working directly with engineers and scientists to identify patentable inventions, filing patent applications, conducting freedom-to-operate searches, analyzing office actions from the USPTO and foreign patent offices and preparing responses

## **Education**

- University of California, College of the Law, San Francisco (J.D.)
  - Intellectual Property Organization
- University of California, San Diego (M.S., Molecular Biology)
- University of California, San Diego (B.S., Biochemistry and Cell Biology)

## **Professional Memberships & Activities**

- Biocom California
  - Cell and Gene Therapy Committee, Member
  - Medical Device & Diagnostics Committee, Member
- Athena, Women in STEM
  - FEW, Member
- Women in Bio
- SunLaw
- Wallace Inns of Court, Founding Member (2004)

- Business Law & Intellectual Property in High Technology for California State University San Marcos, the Master of Biotechnology Program for the Department of Biology, Lecturer

## Representative Presentations & Publications

- "[Manufacturing Agreements in the Cell & Gene Therapy Space](#)," Author, Contract Pharma (June 14, 2024)
- "[Opinion: Think Beyond the Utility Patent to Protect Your Portfolio](#)," Co-Author, BioSpace (February 7, 2024)
- "[Agreements Can Help Protect IP and Ensure Company Ownership of Employee Inventions](#)," Co-Author, Corporate Compliance Insights (February 5, 2024)
- "[Negotiating Term Sheets with Academic Institutions](#)," Co-Author, Reuters Legal News (January 11, 2024)
- "Fireside Chat with San Diego In-House Counsel," Panelist, Intellectual Property Section of the San Diego County Bar Association (October 24, 2023)
- "[Be Proactive, Not Reactive: Recognizing Patentable Inventions for Academic Researchers](#)," Co-Author, IPWatchdog (September 14, 2023)
- "Tips and Tricks to Identify Patentable Inventions For Non-IP Personnel" Presenter, Snell & Wilmer Virtual CLE Series (June 20, 2023)
- "[How CDMOs Can Leverage Contract Terms to Facilitate Payment](#)," Co-Author, Contract Pharma (May 31, 2023)
- "[Practical Suggestions for Identifying Intellectual Property \(IP\)](#)," Episode Host, CalCurrent Podcast (March 9, 2023)
- "[Tips and Tricks for Scientists and Engineers to Identify Patentable Inventions](#)," Co-Author, R&D World (February 2, 2023)
- "[Intellectual Property Considerations in CDMO Agreements](#)," Co-Author, Contract Pharma (October 31, 2022)
- "[Tips for Filing Regenerative Medicine Patents](#)," Co-Author, Cell & Gene (August 26, 2022)
- "Legal and Business Considerations When Negotiating a Master Services Agreement," Presenter, SBDC @ University of California, Irvine Beall Applied Innovation Incubator (February 8, 2022)
- "[Use of Research Tools May Expose Companies to Patent Infringement Claims](#)," Co-Author, IPWatchdog (January 25, 2022)
- "[Keeping Valuable IP When a Key Employee Jumps to a Competitor](#)," Co-Author, Today's General Counsel (January 24, 2022)
- "[Steps a Company Can Take To Help Ensure Intellectual Property Does Not Leave With a Departing Employee](#)," Episode Host, CalCurrent Podcast (November 11, 2021)
- "IP Fall Institute: Hot Topics in Patent Case Law Review," Presenter, ABA IP West 2020 Conference (October 1, 2020)
- "Lego Patent Challenge," Presenter, Association for Women in Science San Diego (AWIS-SD) Women in Science and Technology (WIST) 2019 Conference (October 19, 2019)
- "Conversations with Life Science Leaders," Presenter, California State University, San Marcos (February 2019)

- “Getting Your Staff to Use Trademarks Properly and Effectively,” Co-Author, International In-house Counsel Journal Vol. 6, No. 23 (Spring 2013)
- "Retention Issues For Woman In IP," Presenter, American Intellectual Property Law Association Women in IP (February 2009)
- "Trademark Issues: What SEMs Should Know," Presenter, Search Engine Strategies Conference and Expo (August 2008)
- “Know Trademark Protocol for SEMs,” Co-Author, DM News (April 7, 2008)
- “Willful Infringement Is A State of Mind,” Co-Author, Global Intellectual Property Asset Management Report (August 2006)
- “Genetic Discrimination: Health Insurance For The Genetically Lucky And The Genetically Unlucky,” Co-Author, Medical Trial Techniques Quarterly (July 2004)
- “Genetic Discrimination In Insurance Law: An Ethical Perspective,” Co-Author, Medical Trial Techniques Quarterly, Vol. 50, No. 4, 95-119 (2004)
- "Current Issues In Biotech: 271(e)(I)," Presenter, Western School of Law (March 5, 2005)
- “Will The Federal Circuit Eliminate The Opinion Letter Requirement?” Co-Author, The Daily Transcript (May 4, 2004)
- "Adverse Inferences in Willful Patent Infringement Cases – The Knorr-Bremse Issue," Presenter, Orange County Patent Law Association (March 27, 2004)
- "PGD – Does it 'Promote the Progress of Science and Useful Arts?'" Presenter, Stanford Law School (February 27, 2004)
- “Epidermal Stem Cell Frequency: A Novel In Vivo Functional Assay,” Co-Author, The American Society of Cell Biology (2003)
- “Measuring Stem Cell Frequency I Epidermis: A Quantitative In Vivo Functional Assay For Long-Term Repopulating Cells,” Co-Author, Proceedings of the National Academy of Science 100(20):11412-7 (September 30, 2003)
- “Stem Cell Frequency In Murine Epidermis: A Novel In Vivo Functional Assay For Epidermal Stem Cells,” Co-Author, Proceedings of the National Academy of Science (September 2003)
- “A Novel Functional In Vivo Epidermal Stem Cell Assay,” Co-Author, Journal of Investigative Dermatology (August 2002)
- “Stem Cell Frequency In Murine Epidermis Is 1 in 26,000: A Novel In Vivo Functional Assay For Epidermal Stem Cells,” Co-Author, American Journal of Cell Biology (2002)

## Professional Recognition & Awards

- Snell & Wilmer Community Involvement Award (2024)
- [Leaders of Influence in Life Science 2023 Honoree](#), San Diego Business Journal (2023)
- [Leaders of Influence in Life Science Top 50 2022 Honoree](#), San Diego Business Journal (2022)

## Community Involvement

- Solana Pacific Elementary, Room Mom (2019-2023)
- Scout Master, Pack 734 (2019-2021)
- Carmel Creek Elementary, Room Mom (2018-2021)

## Previous Professional Experience

- Lecturer - Business Law & Intellectual Property in High Technology for California State University San Marcos, the Master of Biotechnology Program for the Department of Biology
- Freenome Holdings Inc., General Counsel
- GenMark Diagnostics, Inc., Associate General Counsel
- ViaCyte, Inc., Patent Attorney
- Baker & McKenzie LLP, Associate
- Paul, Hastings, Janofsky & Walker LLP, Associate
- California Supreme Court, Judicial Extern to Honorable Janice Brown

## **Bar Admissions**

- California
- United States Patent and Trademark Office

## **Court Admissions**

- United States Court of Appeals, Federal Circuit