

Susan M. Cook

Partner

Washington, D.C.

Biography

Susan Cook co-heads the firm's Administrative Procedure Act (APA) and False Advertising Litigation groups. Susan also handles complex commercial litigation involving the pharmaceutical, life sciences, medical device, health care, food and beverage, and consumer industries.

Susan has robust experience handling APA cases against federal and state agencies, challenging state laws on preemption and other constitutional grounds, and advising clients on Freedom of Information Act (FOIA) and reverse-FOIA disputes. In such cases, she works seamlessly with the firm's regulatory groups. Susan regularly represents clients in APA challenges involving the Food and Drug Administration (FDA), the Department of Health and Human Services (HHS), the Centers for Medicare & Medicaid Services (CMS), the Federal Communications Commission (FCC), and other federal and state agencies.

Susan also handles competitor disputes in heavily regulated industries, including claims under the Lanham Act and state laws governing false advertising, unfair competition, corporate defamation, and product defamation. Susan successfully navigates the complex interplay of such laws with regulatory requirements, helping each client to craft a unique litigation strategy targeted to its own specific goals.



Phone

+1 202 637 6684

Fax

+1 202 637 5910

Email

susan.cook@hoganlovells.com

Practices

Administrative and Public Law
Litigation
Marketing and Advertising
Commercial Litigation

Industries

Life Sciences and Health Care
Consumer
TMT
Energy and Natural Resources

Areas of focus

In more than 20 years of practicing law, Susan has litigated in federal and state courts around the country. Susan has been praised for her "keen abilities" by *Managing Intellectual Property*, which named her one of the Top 250 Women in IP in 2013 and 2014.

Representative experience

Represented numerous pharmaceutical companies in APA challenges against FDA, CMS, and HHS.

Successfully represented a pharmaceutical company in a constitutional challenge to a state's regulations governing the prescribing and dispensing of its drug product.

Successfully represented clients seeking to challenge state laws and regulations on federal preemption grounds.

Represented numerous pharmaceutical and food and beverage clients in Lanham Act and state law false advertising and unfair competition disputes.

Represented clients in false advertising claims brought by non-profit organizations under state consumer protection statutes.

Awards and rankings

- IP Star, (*Managing Intellectual Property*), 2014, 2015, 2016, 2017
- Top 250 Women in IP (*Managing Intellectual Property*), 2013-2014

Latest thinking and events

- Hogan Lovells Publications
 - Influencer Snapshot: Getting a handle on social media influencers
- Press Releases
 - Hogan Lovells helps hospitals fend off US\$600M cut to Medicare providers

Judicial Review

Administrative Procedure Act

False Advertising and Unfair Competition

Retail and Consumer Goods

Food and Beverages

Pharmaceuticals and Biotechnology

Hospitals and Health Care Providers

Medical Devices

Health Care Services

Education and admissions

Education

J.D., Harvard Law School, cum laude, 1998

B.A., Yale University, cum laude, 1995

Memberships

Administrative Law and Agency Practice Steering Committee for the District of Columbia Bar, 2016

Member, American Bar Association

Member, American Intellectual Property Law Association

Member, District of Columbia Bar Association

Member, Intellectual Property Owners Association

Member, ITC Trial Lawyers Association

- Hogan Lovells Publications
 - It's Auer Over but the Shouting *Appellate Alert*
- Hogan Lovells Publications
 - U.S. Supreme Court rules judges must decide whether preemption applies, and clarifies when it does *Pharmaceuticals and Biotechnology Alert*
- Hogan Lovells Publications
 - A new normal in the pharmaceutical industry: How to fight back when your competitor can't stop fibbing *Pharmaceutical and Biotechnology Alert*
- Webinar
 - New developments in false advertising

Member, Maryland State Bar Association

Bar admissions and qualifications

District of Columbia

Maryland

Court admissions

District of Columbia Court of Appeals

Maryland Court of Appeals

U.S. Court of Appeals, Federal Circuit

U.S. Court of Appeals, District of Columbia Circuit

U.S. Court of Appeals, Fourth Circuit

U.S. District Court, District of Columbia

U.S. District Court, Eastern District of Texas

Accolades

"The IP practice at Hogan Lovells benefits from the keen abilities of Susan Cook regarding her litigation work in patent, trademark, copyright, and Lanham Act cases as well as her experience with Section 337 proceedings before the ITC."

Managing Intellectual Property
