



Joshua Kipnees

Partner

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Joshua Kipnees is a Partner in the firm's Litigation department. His practice focuses on advertising litigation and government and internal investigations. Mr. Kipnees has represented clients in the food and beverage, insurance, pharmaceutical, cosmetics, and financial industries in both state and federal courts. Mr. Kipnees has also led dozens of internal investigations for pharmaceutical and medical device companies involving regulatory and compliance reviews.

He is recognized by *Chambers USA* in the area of Advertising: Litigation. Clients quoted in *Chambers* describe him as "excellent – very intelligent" and note "his legal work is impeccable." As one client put it, "he moves mountains and makes the impossible happen." Mr. Kipnees has also been recognized in *The Legal 500's* rankings in the area of Advertising and Marketing: Litigation. Client testimonials for *The Legal 500* describe him as "the partner you want on retainer and the first call you make when hit with a challenging legal issue." Mr. Kipnees has also repeatedly been named to *Benchmark Litigation*, which "identifies the leading U.S. trial attorneys and firms at local and national levels." In 2025, *Benchmark Litigation* named Mr. Kipnees a "Future Star." He is also recognized as a "Client Service All-Star" by The BTI Consulting Group, where clients say "Mr. Kipnees understands the nuances of our business" and "he has great attention to detail and client focus."

Mr. Kipnees also maintains an active pro bono practice, representing clients in need in a wide variety of matters. His pro bono work includes representing students with disabilities who were deprived of educational services during the COVID-19 pandemic and assisting a VAWA petitioner in obtaining a green card, among many other representations.

From 2009 to 2010, Mr. Kipnees served as Law Clerk to Chief Justice Rabner, New Jersey Supreme Court, and from 2010 to 2011, he served as Law Clerk to the Hon. Leonard I. Garth, U.S. Court of Appeals for the Third Circuit.

Representative Matters

Advertising Litigation

Defending leading cosmetics and dietary supplements companies against putative class action claims of false advertising, including successfully securing multiple recent dismissals and class decertification.

Advising major personal care products companies regarding labeling and advertising strategies and competitor challenges.

Successfully represented major beverage company in defense against Lanham Act false advertising claims, obtaining jury verdict that naming and labeling of company's product did not mislead consumers.

Defended manufacturer of consumer products in Lanham Act competitor dispute regarding labeling of wound-care products.

Investigations

Representing global healthcare company in internal and government investigations relating to potential FCA, FCPA, anti-kickback, and compliance issues.

Representing leading pharmaceutical company in investigating potential fraud and abuse of its charitable patient assistance programs.

Representing major publisher in state investigation regarding sales and pricing practices.

Led investigation for non-profit organization regarding alleged financial malfeasance and OFAC issues.

Commercial Litigation

Secured substantial recovery, including \$131 million default judgment, on behalf of a leading global pharmaceutical company against networks of healthcare providers that defrauded company's free-drug program.

Representing major publisher in putative class action brought by authors alleging underpayment of royalties.

Representing securitization trusts in enforcement action brought by the Consumer Financial Protection Bureau.

Representing financial-guaranty insurer in variety of lawsuits involving governance and administration of student loan-backed securities.

Successfully secured judgment following bench trial for multinational pharmaceutical company in tariff dispute with U.S. Customs confirming company's blockbuster drug can be imported duty-free.

Representing and advising clients regarding litigation and potential claims involving successor and vicarious liability.

Admissions

- U.S. Court of Appeals, Second Circuit; Third Circuit; Federal Circuit
- U.S. District Court, Southern District of New York; Eastern District of New York; District of New Jersey
- U.S. Court of International Trade
- New York
- New Jersey

Publications

- "[Where Meat-Free Labeling Stands As 5th Circ. Mulls State Law](#)", *Law360* (April 12, 2023)
- Co-Author, "[Pending FDA Cosmetics Review Allows Class Action Defense](#)", *Law360* (February 3, 2023)
- Three-Part Article Series for the *National Law Journal* on Adapting to Remote Proceedings in the Post-Pandemic Era
 - [Part I: Pre-Trial Proceedings](#) (July 14, 2021)
 - [Part II: Depositions](#) (July 15, 2021)
 - [Part III: Trials](#) (July 16, 2021)
- "[After Joint Juice, Questions On NY Statutory Awards Remain](#)", *Law360* (November 23, 2022)

- NY's New Marijuana Law: Implications for False Advertising and Products Liability Lawsuits, *New York Law Journal* (May 26, 2021)
- INSIGHT: Implications of Covid-19 for Catastrophe Bond Litigation, *Bloomberg Law* (July 17, 2020)

Education

- Harvard Law School (J.D., 2009)
 - Executive Editor, *Blackletter Law Journal*
- Harvard University (B.A., *magna cum laude*, 2006)

Speaking Engagements

- "Hidden Dangers: Defending Products Liability and Consumer Fraud Lawsuits Challenging Product Safety," PCPC's Legal & Regulatory Conference (May 13, 2025)
- "Product Liability and Consumer Class Actions," PCPC's Legal & Regulatory Conference (June 5, 2024)
- "Incorporating Lessons from Recent Advertising Claims Class Actions Into Your Future Claims Substantiation Strategy," ACI's 7th Annual Legal, Regulatory, and Compliance Forum on Advertising Claims Substantiation (February 8, 2024)

In the Media

"Florida Judge Awards Gilead Sciences \$131M Judgment," *Daily Business Review* (March 2023)

"Tostitos Hint of Lime has Zero Lime – but It's Still the Perfect Chip," *The Guardian* (April 20, 2022)

"Evidence Shows Juul Illegally Marketed Vaping as Safer than Smoking," *Popular Science* (September 10, 2019)

"What The Experts Said About High Court Rulings This Term," *Law 360* (June 30, 2017)