Patent Litigation Representative Experience

The experienced attorneys at Jeffer Mangels Butler & Mitchell LLP have handled the following patent and technology cases:


- **WCM Industries v. IPS corporation (W.D. Tenn. Oct. 2015)** A favorable jury verdict found that IPS willfully infringed six patent claims across three of WCM’s patents directed to bath waste and overflow assemblies, and that all six patent claims were valid.


- **TEK Corporation v. Sealant Systems International; Accessories Marketing Inc. v. TEK Corporation (N.D. Cal. 2012)** Represented Sealant Systems International ("SSI") in patent infringement action brought by TEK Corporation. SSI filed its own action for declaratory judgment against TEK and successfully dismissed the action for lack of personal jurisdiction. SSI’s sister company, Accessories Marketing, Inc. ("AMI"), also asserted a patent against TEK. On summary judgment, SSI invalidated TEK’s patent based on prior art. AMI proceeded to trial on its patent and a jury awarded AMI damages based on a 7% royalty.

- **Semiconductor Laboratories v. Chimei Innolux (C.D. Cal. 2012)** Represent defendants Chimei Innolux, Chi Mei Optoelectronics, Acer, Viewsonic and Vizio in patent litigation relating to the manufacture of liquid crystal displays. Innolux filed seven petitions for Inter Partes Review ("IPR") in the United States Patent and Trademark Office ("PTO"). At the request of Innolux, the district court stayed the case pending the completion of the IPRs. The PTO accepted all seven of the IPRs, which remain pending before the Patent Trial and Appeal Board.


- **Uniloc USA, Inc., et al. v. Cyberlink.com Corp., et al. (E.D. Tex. 2010)** Defended Diskeeper Corporation against patent infringement claim relating to computer software activation system. Obtained a dismissal with prejudice with no payment or relief of any type to the plaintiff.

- **Hospital Systems Corp. v. Diamedx, Inc. (E.D. Tex. 2010)** Represented Intuitive in a patent infringement case over the use of software magnification technology. Case settled with a motion to dismiss for lack of personal jurisdiction pending.

• **Large Audience Display Systems v. Sports Team et al. (E.D. Tex. 2010)** Represent the defendant in patent infringement case over the use of screen technology.


• **Welcome Co., Ltd. v. eBay, Amazon.com, et al. (C.D. Cal. 2010)** Represent plaintiff in claim of patent infringement by inducement.

• **EMG Technology, LLC v. Dr. Pepper Snapple Group, Inc. et al. (E.D. Tex. 2010)** Represent EMG in patent litigation relating to, among other things, a simplified navigation system for browsing the Internet on a mobile device.

• **Steril-Aire v. First Light, et al. (C.D. Cal. 2010)** Represented Steril-Aire in a trademark, trade dress and unfair competition suit pertaining to its ultraviolet emitter technology.*


• **Continental Datalabel, Inc. v. Avery Dennison Corporation, et al. (N.D. Ill. 2009)** Obtained stay of patent claims pending reexamination of patents in-suit for Avery Dennison in patent litigation relating to office products.*

• **EMG Technology, LLC v. Apple (E.D. Tex. 2009)** Represented the owner of patents covering, among other things, a simplified navigation system for browsing the Internet on a mobile device or television. Case settled on mutually agreeable terms.


• **Interactive Software v. Artafact (D. Mass. 2009)** Represent Artafact in patent infringement case centered on the technology for online focus groups. Successfully stayed the case pending re-examination of the patent at issue, and the case subsequently settled.

• **Lenox MacLaren v. Medtronic (D. Col./Arbitration 2009)** Represented a medical device manufacturer in patent infringement and breach of contract action against Medtronic pertaining to a device used in spinal fusion surgery. Arbitration award in favor of client.

• **SciCoTec v. Boston Scientific (E.D. Tex. 2009)** Represented the inventor of a revolutionary design change in angioplasty catheters, used in the most advanced catheters for angioplasty procedures. Client brought a patent infringement suit against Boston Scientific, which settled the day before jury selection.

• **Terray v. Zimmer (Chicago - Arbitration 2009)** Represented manufacturer of plates used to treat fractures in trauma cases. Patented plates were manufactured by Zimmer internally in breach of contract. Arbitration award in favor of client.
• In Re Katz v. General Electric (C.D. Cal. 2009) Defended General Electric against claims of infringement of a large patent portfolio involving interactive voice communication systems.*


• Nautilus v. Icon (W.D. Wash./D. Utah 2007) Represented Nautilus in a lawsuit over the Bowflex exercise machine in patent and trademark disputes against its competitor, Icon Health & Fitness. After a trial and two appeals to the Federal Circuit, the case settled before a second trial and while the second appeal to the Federal Circuit was pending.


• Scantibodies v. Immutopics (C.D. Cal. 2006) Patent infringement action involving complex biotechnology directed to immunoassays concerning parathyroid hormone.

• Medtronic v. Michelson (W.D. Tenn. 2004) Stan Gibson was one of the lead trial lawyers representing the inventor of revolutionary spinal fusion technology and the company he founded in a dispute over unpaid royalties, the scope of certain contracts and patent infringement. After a five-month jury trial, the jury found in favor of Dr. Michelson, awarding $110 million in damages, $60 million in patent infringement damages and $400 million in punitive damages. Medtronic subsequently acquired Dr. Michelson’s patents and technology for $1.35 billion.

• Meade v. Celestron/Celestron v. Meade (C.D. Cal. 2003) Represented Celestron in a patent infringement dispute over software used to control the positioning of amateur telescopes. After Meade’s attempt at a preliminary injunction was denied and with Celestron’s motion for summary judgment pending, case settled on favorable terms.


• Intraspace Satellite Corporation v. Continental Satellite Corporation (Arbitration) Represented a small satellite manufacturer in a breach of contract action in which the defendant, Continental Satellite Corporation, failed to pay milestone payments upon termination of a satellite manufacturing contract due under a termination for convenience.
• clause. During a six month arbitration, we presented testimony of the client and experts proving that the client had performed a significant amount of reliable engineering work. At the conclusion of the arbitration, the arbitrator awarded $16.7 million, which was later confirmed by the Court in a judgment against Continental.

• **Essociate, Inc. v. LeapLabCorporation (C.D. Cal.); Essociate, Inc. v. Blue Whaler, Inc., et al. (C.D. Cal. 2012-2013)** Represented defendant Accelerize New Media, Inc. (CAKE Marketing) in patent infringement action involving advertising technology software.*


• **McRo, Inc. d/b/a Planet Blue v. Bandai Namco Games America, Inc., et al. (C.D. Cal. 2013-2016)** Represented defendant Valve Corporation in multi-defendant patent infringement action involving lip-synchronization processes for interactive entertainment and video game developers. As part of joint-defense group, successfully obtained summary judgment based on Alice Corp. v. CLS Bank that the patents were not patent-eligible subject matter.*

• **Palomar Technologies, Inc. v. MRSI Systems, LLC (S.D. Cal. 2015-2016); MRSI Systems, LLC v. Palomar Technologies, Inc. (PTAB 2015)** Represented Palomar Technologies, Inc. in patent infringement action and related inter-partes review before the Patent Trial & Appeal Board involving pick and place devices and processes for high-precision placement of workpieces including microelectronic and electro-optical devices. Successfully defended motion to dismiss based on patent eligibility under Alice Corp. v. CLS Bank.*


*These matters were handled by members of the Patent Litigation Group before they joined Jeffer Mangels Butler & Mitchell LLP.*