

# PATENT LITIGATION

GROUP

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

- *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; case is currently pending in the Central District of California.
- *Thinkoptics v. Nyko* (E.D. Tex. 2011) Represent defendant Nyko in a patent infringement action in the Eastern District of Texas over pointer technology; case is currently pending.
- *Ogma v. Nyko* (E.D. Tex and ITC 2011) Represented defendant Nyko in a patent infringement action in the International Trade Commission ("ITC") and Eastern District of Texas regarding accelerometer technology. Case settled successfully after minimal discovery and after exchange of infringement and invalidity positions.
- *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.
- *Kruse Technology Partnership v. Isuzu Motors Limited, et al.* (C.D. Cal. 2010) Defended Isuzu in patent infringement claim relating internal combustion engines.
- *Landmark Technology, Inc. v. B.J.'s Wholesale* (E.D. Tex. 2010) Represented Landmark in patent litigation over patents covering, among other things, the sale of goods and products over the Internet. Case settled.
- *Landmark Technology, Inc. v. Blockbuster, Inc.* (E.D. Tex. 2010) Represented Landmark in patent litigation over patents covering, among other things, the sale of goods and products over the Internet.
- *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. Case is currently pending.
- *Pure Fishing, Inc. v. Sports Equipment Manufacturer* (S.D.S. Carolina 2010) Defense of patent infringement claim.
- *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.\*
- *Cardio Access LLP v. Boston Scientific, et al.* (E.D. Tex. 2009) Defended Edwards Lifesciences in patent infringement claim relating to cannula with hemostatic valves.\*
- *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.
- *EMG Technology, LLC. v. Microsoft* (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.
- *Delta Creative, Inc. v. Horizon Group USA, Inc.* (C.D. Cal. 2009) Represented toy company in infringement matter.
- *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.
- *Landmark Technology, Inc. v. Zale* (E.D. Tex. 2009) Represented Landmark in patent litigation over patents covering, among other things, the sale of goods and products over the Internet. All defendants settled before filing an answer.
- *Landmark Technology, Inc. v. Aeropostale* (E.D. Tex. 2009) Represented Landmark in patent litigation over patents covering, among other things, the sale of goods and products over the Internet.
- *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.
- *SciCo Tec 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.\*
- *Kruse Technology Partnership v. Caterpillar Inc.* (C.D. Cal. 2008) Defended Caterpillar in patent infringement claim relating to internal combustion engines.
- *Peregrine Pharmaceuticals v. Cancer Therapeutic* (Orange County 2008) Technology counsel representing defendant in breach of contract case over revolutionary cancer drug for treating lung cancer.
- *The Massachusetts Institute of Technology and Electronics for Imaging v. Abacus Software, et al.* (E.D. Tex. 2008) Represented MIT and EFI in a suit against multiple defendants claiming infringement of a patent directed to image processing and desktop publishing.\*
- *The Procter & Gamble Company v. Kraft Foods, Inc.* (2008) Represented Procter & Gamble in a multiple patent infringement lawsuits relating packaging ground coffee.\*
- *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.
- *Semiconductor Energy Laboratory v. Chi Mei Optoelectronics, et al* (N.D. Cal. 2007) Defended Chi Mei Optoelectronics. Obtained summary judgment of invalidity and noninfringement on multiple patents relating to manufacturing LCDs.
- *J.P. Gripper, Inc. v. Lamoon Ltd.* (C. D. Cal. 2006) Utility patent infringement case in the packaging industry successfully resolved by private injunction and confidential monetary payment.
- *Park Smith v. Smith & Noble* (S.D.N.Y. 2006) Patent lawyer representing the defendant in a design patent infringement case. Case settled on favorable terms with no discovery or depositions taking place.
- *Scantibodies v. Immutopics* (C.D. Cal. 2006) Patent infringement action involving complex biotechnology directed to immunoassays concerning parathyroid hormone.
- *Lockheed Martin Corp. v. The Boeing Co., et al.* (M.D. Fla. 2005) Represented Lockheed in a trade secret misappropriation, antitrust and business tort law suit relating to government contracts for rocket launches.\*
- *Animetrics Corp. v. Quicksilver Controls, Inc.* (N.D. Cal. 2004) Represented Animetrics in a patent, unfair competition and trade dress suit involving its digitally controlled servo motor technology.\*
- *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.
- *Convolve, Inc., v. Seagate Technology, LLC* (S.D.N.Y. 2000) Represented Seagate in a multi-patent, trade secret, fraud, and business tort suit relating to the design and development of its hard disk drives. Case is still pending.\*
- *Welcome Co. v. Harriett Carter Gifts Inc., 50 U.S.P.Q.2d 1132* (D.C. Cal. 1998), *aff'd per curiam* (Fed. Cir. 1999) Grant of preliminary injunction enjoining patent infringement affirmed.
- *Ex Parte Plutsky, 41 U.S.P.Q.2d 1701* (Bd. Pat. Application. & Int. 1996) Reversing Patent Examiner's decision of obviousness.
- *L.A. Gear Inc. v. ES Originals Inc., 32 U.S.P.Q.2d 1613* (C.D. Cal. 1994) Summary judgment of non-infringement of patent.
- *Dixie USA, Inc. v. Infab Corp., 16 U.S.P.Q.2d 1392* (C.D. Cal. 1990), *aff'd.*, 927 F.2d 584, 17 U.S.P.Q.2d 1968 (Fed. Cir. 1991) Affirming summary judgment of non-infringement of patent.
- *Pioneer Photo Albums, Inc. v. Holson Co., 654 F.Supp. 87, 2 U.S.P.Q.2d 1638* (C.D. Cal. 1987) Summary judgment of patent invalidity.
- *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.

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

## For information please contact us.

We welcome the opportunity to discuss your business and your patents, and how we can help you achieve your goals.

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