

ITC Section 337 Investigations

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U.S. International Trade Commission (ITC) Section 337 Investigations are a critical tool for intellectual property owners to protect their interests, especially those involved with import trade.

Our ITC Section 337 attorneys have extensive knowledge and significant experience through hearing and Commission final determination in Section 337 investigations. Additionally, we understand the complexities of litigating in the ITC, we understand technology, and we are adept at managing complex international trade issues under intense time pressure. We also are adept at managing parallel litigation in the U.S. Federal District Courts.

Lippes Mathias attorneys represent both domestic and foreign companies as complainants and respondents in these fast-paced investigations and have more than twenty-five years doing so.

ITC Section 337 Investigations matters are distinguished not only based on their speed and powerful injunctive remedies, but also on the fact that a larger share of them go to trial than patent cases in district courts.

The firm has 30 IP attorneys with highly skilled technical backgrounds, including advanced degrees across a wide variety of disciplines encompassing electrical engineering, chemical engineering, mechanical engineering, biomedical engineering, civil engineering, computer science and environmental science. The firm's attorneys are admitted to the bars throughout the country, and its attorneys and agents include former USPTO examiners and fluent speakers of non-English languages, including Mandarin.

We help companies increase their value, market share, profits, and assets via Section 337 litigation, and defend companies from allegations of unfair acts.

Representative Matters

- *Personal Transporters and Components Thereof*, Inv. No. 337-TA-1007/1021: Represented complainants Ninebot, Segway and DEKA; obtained default judgments against seven respondents, termination for cause against one respondent, consent orders against two respondents, favorable settlement with one respondent,

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and limited exclusion orders and cease-and-desist orders against two respondents after Hearing before ALJ Shaw in first consolidated investigation.

- *Personal Transporters and Components Thereof*, Inv. No. 337-TA-935: Represented respondent Ninebot in favorable settlement.
- *Wireless Devices Including Mobile Phones and Tablets II*, Inv. No. 337-TA-905: Represented respondents Nokia Corp. and Nokia, Inc. in favorable settlement.
- *CMOS Image Sensors and Products Containing Same*, Inv. No. 337-TA-846: Represented respondents Nokia Corp. and Nokia, Inc. in favorable settlement.
- *Short-Wavelength Light Emitting Diodes, and Products Containing Same*, Inv. No. 337-TA-640: Represented respondent Sony Ericsson, Inc. in favorable settlement.
- *Acetic Acid*, Inv. No. 337-TA-633: Represented complainant Celanese Int'l Corp. in favorable settlement.
- *Computer Products, Computer Components and Products Containing Same*, Inv. No. 337-TA-628: Represented complainant IBM; Hearing before ALJ Essex; settled together with parallel district court action to satisfaction of all parties.
- *Lighting Control Devices Including Dimmer Switches and/or Switches and Parts Thereof*, Inv. No. 337-TA-599: Represented respondent Control4 in favorable settlement.
- *Wireless Communication Devices, Components Thereof and Products Containing the Same*, Inv. No. 337-TA-583: Represented complainants Ericsson Inc. and Telefonaktiebolaget LM Ericsson; settled to the satisfaction of all parties.
- *Wireless Communication Equipment, Articles Therein, and Products Containing the Same*, Inv. No. 337-TA-577: Represented respondents Ericsson Inc. and Telefonaktiebolaget LM Ericsson; settled to the satisfaction of all parties.
- *Products and Pharmaceutical Compositions Containing Recombinant Human Erythropoietin*, Inv. No. 337-TA-568: Represented respondents Hoffmann-La Roche family of companies; first 100-day ID dismissal on SDM; no exclusion order or consent order issued; global settlement including parallel district court action.
- *Personal Watercraft and Components Thereof*, Inv. No. 337-TA-452: Represented respondent Bombardier Inc. in action brought by complainant Yamaha asserting infringement of 11 patents; dismissed six patents through successful motions for summary determination of non-infringement, invalidity or no domestic industry; Hearing before ALJ Terrill on remaining 5 asserted patents; settlement to satisfaction of all parties, including of stayed parallel district court action.