Rankings and Recognition

#1
Ranked number 1 law firm for litigation cases in the ITC (Corporate Counsel 2013)


Ranked 4th most-hired law firm in the United States for patent litigation defense and 5th most-hired law firm for overall patent litigation (Corporate Counsel 2013)

17
17th largest IP practice in the United States (Law360, 2012)

#10
Top 10 law firms for Patent Quality for the 5th year (Intellectual Asset Management magazine, 2014)

Ranked number 1 of the Top Firms for Patent Quality in All Industries on a 3-year average (Intellectual Asset Management magazine, 2014)

Recommended in patent prosecution, licensing and litigation matters in Patent 1000 (Intellectual Asset Management magazine, 2014)

Recognized as a “standout” in intellectual property (Financial Times’ U.S. Innovative Lawyers Report, 2013)

With more than 950 lawyers in 19 offices across the United States and Asia, Perkins Coie represents great companies across a wide range of industries and stages of growth—from start-ups to FORTUNE 50 corporations.
Perkins Coie has significant experience in the intricacies of ITC law and procedure. Our practitioners, who include a former ITC staff attorney and other partners who are regular players in this specialized arena, are located across the nation. Backed by a team of attorneys focused on ITC issues, Perkins Coie’s seasoned patent litigators know how to successfully litigate 337 investigations. Our attorneys handle Section 337 actions in a wide range of technologies, and we routinely represent some of the most sophisticated purchasers of patent legal services as both complainants and respondents before the ITC. Our former colleagues include the Director of the Office of Unfair Import Investigations and attorney advisors to some of the Administrative Law Judges.

Facts about our International Trade Commission Litigation Practice

50+ Patent Litigators
with ITC litigation experience, including a former ITC senior staff attorney at the Office of Unfair Import Investigations (OUII)

35+ Representations,
5 trials, and 2 appeals in the last 4 years

Scientific Bench Strength
across the entire group, including 15 graduate degrees

Nationally Ranked Patent Litigation Group
Corporate Counsel and Chambers USA
SIGNIFICANT ITC MATTERS

First “100-Day” ITC Hearing
Successfully defended a client in the first-ever “100-day” hearing initiated under the ITC’s new pilot program in Inv. No. 337-874. The ITC determined that there was insufficient economic investments in the United States relating to the asserted patents to establish a domestic industry and terminated the investigation.

First Delay in an Exclusion Order
Obtained the first-ever delay of an ITC exclusion order based on public interest considerations in a decision, Inv. No. 337-710, that is routinely cited by others seeking similar relief. With the extra time, we were able to obtain approval for our client to import a “design around” alternative without disrupting its supply chain.

Largest Matter Litigated Before the ITC, Including the First “Public Interest” Hearing
Litigated the largest ITC matter before the ITC in Inv. No. 337-543. This was the first-ever public interest hearing held by the ITC Commissioners. The case resulted in the Kyocera decision issued by the U.S. Court of Appeals for the Federal Circuit, which changed the law and prohibited the issuance of relief by the ITC against “downstream products.”

First Ruling That the ITC Lacks Jurisdiction Due to Lack of Infringement at the Time of Importation
Obtained the first ruling confirming that the ITC does not have jurisdiction over accused imported products that do not infringe at the time of importation in Inv. No. 337-845. This decision has a significant impact on any accused hardware devices that allegedly infringe when operated in connection with accused software.

“Bet the Company” Cases
Defended several “bet the company” cases, including Electronic Imaging Devices, 337-726; Personal Data and Mobile Communications Devices and Related Software, 337-710; Computer Products, Computer Components and Products Containing Same, 337-628; and Flash Memory Devices and Components Thereof, and Products Containing Such Devices and Components, 337-552.

Among the First to Utilize the ACA’s New Post-Grant Procedures to Prevail at the ITC
The America Invents Act created a new Inter Partes Rexam (IPR) proceeding that has been used to limit the scope of the asserted claims at the ITC, provide leverage in settlement negotiations and act as an insurance policy in the event of an adverse ITC decision. We are among the top ten firms in terms of the total number of IPR filings. The work done to prepare an IPR submission can be re-used at the ITC to control costs.
RECENT HIGH-PROFILE MATTERS

- In re Certain Point-to-Point Network Communication Devices and Products Containing Same, Inv. No. 337-892 (AmTran and Netflix)
- In re Products Having Laminated Packaging, Laminated Packaging and Components Thereof, No. 337-874 (Hasbro)
- In re Certain Electronic Imaging Devices, No. 337-850 (HTC)
- In re Certain Products Containing Interactive Program Guide and Parental Control Technology, No. 337-845 (Netflix)
- In re Certain Drill Bits and Products Containing the Same, No. 337-844 (Boart Longyear Company)
- In re Certain Consumer Electronics, Including Mobile Phones and Tablets, No. 337-839 (ASUSTeK)
- In re Certain Consumer Electronics and Display Devices and Products, No. 337-836 (HTC)
- In re Certain Mobile Electronic Devices Incorporating Haptics, No. 337-834 (HTC)
- In re Certain Portable Electronic Devices and Related Software, No. 337-797 (HTC)
- In re Certain Semiconductor Chips and Products Containing Same, No. 337-753 (Broadcom)
- In re Certain Electronic Imaging Devices, No. 337-726 (HTC)
- In re Certain Personal Data and Mobile Communication Devices and Related Software, No. 337-710 (HTC)

SUCCESSFUL LITIGATION AGAINST NPES

We also have extensive experience litigating against non-practicing entities before the ITC. Our recent victories include obtaining Federal Circuit affirmance of a final determination of no infringement and forcing complainants to withdraw their complaint just before trial.

Some of our cases include:

- Point-to-Point Network Communication Devices and Products Containing Same, Inv. No. 337-892 (AmTran and Netflix)
- Digital Media Devices, Including Televisions, Blu-Ray Disc Players, Home Theater Systems, Tablets and Mobile Phones, Components Thereof and Associated Software, Inv. No. 337-882 (Netflix)
- Products Having Laminated Packaging, Laminated Packaging and Components Thereof, No. 337-874 (Hasbro)
- Electronic Imaging Devices, No. 337-850 (HTC)
- Consumer Electronics, Including Mobile Phones and Tablets, No. 337-839 (ASUSTeK)
- Consumer Electronics and Display Devices and Products Containing Same, No. 337-836 (HTC)
- Mobile Electronic Devices Incorporating Haptics, 337-834 (HTC)
- Motion-Sensitive Sound Effects Devices and Image Display Devices and Components and Products Containing Same, Inv. No. 337-787 (HTC)
- Electronic Imaging Devices, No. 337-726 (HTC)
- Electronic Devices, Including Handheld Wireless Communication Devices, Inv. No. 337-667 (HTC)
Contact Us

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