

Intellectual Property Owners Association IP Chat Channel: Willfulness, Enhanced Damages, and Opinions of Counsel Since Halo

FEBRUARY 23, 2017

It's been more than six months since the US Supreme Court's *Halo* decision lowered the bar for proving willful infringement, and this boon for plaintiffs is quickly changing trial strategy. WilmerHale Partner Natalie Hanlon Leh will join a panel of experienced litigators who will begin by examining how courts post-*Halo* have decided the sufficiency of pleading for enhanced damages at the motion-to-dismiss stage. Then, the panel will consider the factors that have most strongly influenced recent district court decisions to enhance—or not enhance—damages, including notice by the patent owner (such as cases *CH2O* and *Finjan*), copying (*Westerbeke*, *Imperium* and *PPC*), and opinions of counsel (*Dominion*, *Presidio* and *Boston University*). A favorably timed opinion of counsel can prove successful in warding off a finding of willfulness, but defendants need to consider the effect of an opinion of counsel on attorney-client privilege.

[READ MORE ABOUT THE EVENT](#)

Related Solutions

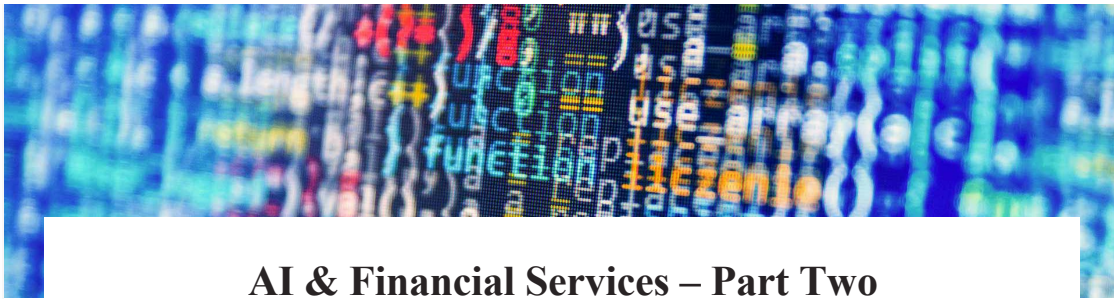
Intellectual Property
Counseling and Prosecution

Intellectual Property Litigation

Litigation

You May Be Interested In





AI & Financial Services – Part Two

APRIL 16, 2024

WEBINAR



28th Annual Compliance Institute

APRIL 16, 2024

SPEAKING ENGAGEMENT



A Look Behind the Curtain – Being an Arbitrator or Tribunal Secretary in Turkish and Swiss Arbitrations

APRIL 17, 2024

SPEAKING ENGAGEMENT

[VIEW ALL EVENTS](#)