

Unanimous Verdict in Favor of Hale and Dorr Client Returned in Patent Infringement Case

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On Friday, May 25, 2001, after a two-week-long trial, a ten-member jury sitting in the United States District Court for the District of Massachusetts returned a unanimous verdict in favor of Hale and Dorr's client, Texas Instruments (T.I.) / Unitrode. The jury found T.I. not liable for inducing T.I.'s customers to infringe a patent owned by the plaintiff, Vicor, relating to electrical power converters.

This was a particularly challenging case. In pre-trial proceedings, the Court had found that four of T.I.'s customers had infringed Vicor's patent directly, by using T.I.'s integrated circuit chips in the manner shown in T.I.'s advertising and taught at T.I.'s design seminars. The Court also found that T.I. had infringed the patent directly. The jury was informed of the Court's findings of direct infringement. The only liability question remaining for the jury was whether T.I. had aided its customers' direct infringement by selling the integrated circuit chips, by advertising the chips for use in the infringing manner and by teaching design seminars on how to use the chips in the infringing manner. Hale and Dorr argued, among other things, that T.I.'s notices to its customers, stating that use of the chips may infringe patents owned by others and advising customers to seek their own legal advice regarding their intended use of the chips, demonstrated T.I.'s lack of intent to induce any resulting infringement.

Vicor was vigorously represented on litigation and patent issues by Goodwin Procter and by Fish and Richardson. During the course of trial, Vicor stated to the Court that hundreds of millions of dollars were at stake in this case. Vicor asked the jury to "send a message" to T.I. that it should not "steal" the inventions of other companies. Vicor stressed that it was a local, Andover, company that employed thousands of people in the Commonwealth. Vicor further attempted to sway the jury with the story of how Vicor grew to become a company worth hundreds of millions of dollars, on the basis of the patent-in-suit, from the humble beginnings of its CEO, the inventor of the patent, who had come to the United States by "literally hitchhiking on a freighter." The jury discounted Vicor's pleas and found in favor of T.I.

Wayne Stoner, [Dominic Massa](#), Liz Rogers and Patty Slentz-Howard tried the case for T.I.