

## WilmerHale Achieves Victory for Client Intel

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On December 22, 2010, WilmerHale scored a victory for Intel in *Shum v. Intel Corporation*, a lawsuit dating back to 2001. The plaintiff brought claims of correction of inventorship as to multiple patents and sought more than \$400 million for breach of contract, breach of fiduciary duty, fraud, unjust enrichment, and other tort and equitable claims.

Prior to WilmerHale's involvement, the district court granted summary judgment to Intel on two state law claims and submitted the remaining claims to a jury. The jury ruled that the plaintiff was indeed a co-inventor on five of the six patents at issue, but deadlocked on all of the state-law monetary claims. The district court then granted judgment as a matter of law to Intel on all state-law claims and awarded court costs to Intel.

Intel retained WilmerHale to defend the merits judgment and costs award on appeal in the Federal Circuit. Briefing was complex because of the number of issues and the large record, which included numerous pretrial motions, two trials and a prior appeal. On August 4, 2010, the Federal Circuit heard two oral arguments in the case. [Bill Lee](#) argued the merits appeal, and [Mark Fleming](#) argued the costs appeal.

On December 22, 2010, the Federal Circuit issued two precedential opinions that, by a 2-1 vote, fully affirmed the merits judgment and costs award in Intel's favor.

View the two opinions: [2009-1385](#), [-1419](#) and [2010-1109](#).