

WilmerHale Secures Patent Infringement Victory for Broadcom

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WilmerHale successfully defended Broadcom Corporation in a three-week patent infringement trial in San Diego, which had major implications for keeping the mobile multi-media and high-definition video markets open to continued innovation and competition.

Plaintiff Qualcomm Incorporated accused Broadcom of infringing two patents, both of which relate to video compression technology. All of Broadcom's semi-conductor chips that implement the international "H.264" video compression standard were accused of infringement, including the Broadcom video chip in the Apple Video iPod. Broadcom asserted affirmative defenses of patent invalidity, inequitable conduct by Qualcomm before the US Patent and Trademark Office, and waiver as a result of Qualcomm's conduct relating to the standard-setting organization that developed the H.264 standard.

After approximately six hours of deliberations, the jury returned a verdict of non-infringement on all asserted claims of the two Qualcomm patents, which the jury found were valid. The jury also delivered advisory verdicts finding that one patent was unenforceable as a result of inequitable conduct, and that Qualcomm had waived its rights to enforce both patents because of its conduct in connection with the development of the H.264 standard.

WilmerHale's trial team was led by [William Lee](#), [Jack Regan](#), [Donald Steinberg](#), and [Vinita Ferrera](#), with the assistance of Juliana Mirabilio, Louis Tompros, [Kate Saxton](#), Timothy Jezek, Carrie Seares, Jennifer Doig, Katharine Valente, Timothy Lyons, Caitlin Swanson, and Deborah Maw. Credit is also owed to the rest of the team that helped prepare the case for trial, including [James Quarles](#), [Mark Selwyn](#), Alicia Hunt, Will Crossley, and Teneshia Lewis.