

EIP



EIP secures victory for Unwired Planet against Samsung, Huawei and LG Electronics

EIP today announced a victory on behalf of its client, Unwired Planet, against telecommunications giants Samsung, Huawei and LG Electronics in a standard essential patent (SEP) case.

The nine judgements from The Düsseldorf District Court in Germany held that the mobile phone manufacturers' end user devices infringe three Unwired Planet patents essential to the LTE and GSM standards. In addition, the Court held that Samsung's and Huawei's infrastructure equipment infringes one of two asserted patents covering LTE technology.

The judgements on 21 January came after a four-day trial in November and December 2015. The patents form part of a portfolio acquired by Unwired Planet from Ericsson in 2013.

EIP partner Benjamin Grzimek, who led the EIP team, said:

"This is a major breakthrough for Unwired Planet's patent enforcement campaign in Europe. The EIP team was up against some of the most experienced specialist firms in Germany who allocated significant resources to the case. This result is particularly satisfying as the court rejected all non-technical defences raised related to competition law and allegations that the patents had not been properly assigned from Ericsson to Unwired Planet."

The Düsseldorf judgements follow the verdict at the UK Patents Court in November 2015 in which Mr Justice Birss found one of Unwired Planet's patents to be both valid and infringed and essential to the 4G standard. The two defendants Samsung and Huawei

have since filed an appeal against this verdict.

p2

Unwired Planet's CEO, Boris Teksler, said:

"This is a great result and certainly increases our chances of being fairly and properly compensated. This judgment marks one of the few decisions in Europe after the landmark Huawei v. ZTE decision last July governing the conduct of FRAND licensing. This decision solidifies wins in two jurisdictions and increases the number of cellular standard essential patents to four that have been positively adjudicated by the courts."

The defendants attacked the validity of the patents, however, the Düsseldorf court did not grant a stay of the proceedings. The court ruled that it did not find a sufficient likelihood that the nullity action and opposition proceedings pending against the patents would be successful.

The EIP team in Düsseldorf comprised Benjamin Grzimek, Claudia Rehse, Michael Munsch and Isabelle Hamm, together with outside counsel Hosea Haag of AMPERSAND law firm.