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Recent News in Intellectual Property

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Sony Files Complaints against LG over Mobile Phone Patents

Bloomberg has reported that in complaints filed on December 28, 2010, Sony Corp. is alleging infringement of several patents by LG Electronics Inc. and its U.S. subsidiaries. The complaints were reportedly filed concurrently in the U.S. International Trade Commission and the U.S. District Court in Los Angeles, and assert that LG imports and offers for sale "mobile telephone handsets, Blu-ray players with Wi-Fi functionality, and Wi-Fi adaptors" which infringe on several of Sony's patents, including U.S. Patents 7,580,006; 6,374,121 and 6,222,921. Sony reportedly sought to block the importation and sale of several LG devices over these and five other patents, including mobile phones, cellular modems, phone-mounted cameras, and other phone devices. The ITC case is In the Matter of Certain Mobile Telephones and Modems, Complaint No. 2777, U.S. International Trade Commission (Washington). The civil suit is Sony Corp. v. LG Electronics USA Inc., 10cv9967, U.S. District Court, Central District of California (Los Angeles).

CAFC Reverses Infringement Decision against Fujifilm, Canon

In a 2004 verdict, Fujifilm Holdings Corp. and seven other digital camera manufacturers, including Canon, were found liable for patent infringement. That ruling has now been overturned on appeal, according to a report by Bloomberg. In the original trial, a jury awarded a total of \$34.7 million to St. Clair Intellectual Property Consultants, Inc., a company which handles intellectual property development and licensing, over infringement of four U.S. Patents (5,138,459; 6,094,219; 6,233,010; and 6,323,899). The basis for the original judgment reportedly turned on the definition of key phrases in the claim construction of the patents and cited comments by the original U.S. Patent and Trademark Office Examiner. Upon appeal, the U.S. Court of Appeals for the Federal Circuit found that the previous judge had misinterpreted the claim language in the original trial and thus overturned the jury's decision.

Intel to Pay \$1.5 Billion for Access to Nvidia Patents

Nearly two years after initiating legal disputes, world-leading microprocessor manufacturer Intel has reportedly reached a cross-licensing agreement with Nvidia, a major manufacturer of graphics chips, according to InformationWeek. The agreement reportedly opens Nvidia's patents on graphics processors to Intel's use and will reportedly cost Intel \$1.5 billion in licensing fees over the next five years. While Intel will reportedly have full access to Nvidia's patent portfolio over the next six years of the agreement, Nvidia will reportedly be limited to those patents made available to Nvidia under a previous licensing agreement in 2004. Nvidia will reportedly not be given access to Intel's x86 processor technology, flash memory, or other specific chipsets. That exclusion effectively means that Intel may continue to develop microprocessors with built-in graphics processors, while Nvidia will likely focus on the stand-alone graphics processors that form its core technology base.

Kodak's Latest Patent Suit Falter in Preliminary Ruling

The Wall Street Journal has reported that a suit filed by Eastman Kodak has received a negative initial determination recommendation from the International Trade Commission. Kodak's suit reportedly asserts that Apple's iPhone and Research In Motion Ltd., (RIM)'s BlackBerry mobile phone devices infringe Kodak's U.S. Patent 6,292,218, entitled "Electronic camera for initiating capture of still images while previewing motion images." An initial decision by the administrative law judge (ALJ) handling the case found that the '218 patent is invalid due to obviousness. The case is In the Matter of Certain Mobile Telephones and Wireless Communication Devices Featuring Digital Cameras, and Components Thereof, 337-703, U.S. International Trade Commission (Washington).

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