

Consumer electronics giant gains evidence of non-infringement, lawsuit dismissed

“Our defense options were limited and we had a lot at stake. The non-infringement evidence produced by Chipworks helped us avoid millions in litigation costs and damages.”

— Intellectual Property Counsel

SITUATION

A consumer electronics giant was served notice by a non-practicing entity (NPE) alleging patent infringement supported with claim charts. The infringement claim targeted one of the giant’s emerging technology areas with millions of dollars of future revenue being anticipated. Wanting to keep its damages to a minimum, the giant pursued what limited defense options it could, including evidence of non-infringement. It approached Chipworks to perform the work, knowing that it needed a strong combination of patent and technical expertise in order to be successful.

CHALLENGES

- Generate evidence of non-infringement against the NPE’s claim charts
- Find a supplier capable of systems analysis and testing
- Gain credible third party evidence

CHIPWORKS SOLUTION

- Using the claim charts submitted by the NPE, re-created the testing environment
- Ran several new functional tests to understand the circuit operation, and compared it against all the key claim elements of the claim, including those not identified in the claim chart
- Produced documentation showing how the giant’s products operated in a manner substantially different from the patent claims asserted by the NPE
- Delivered a live demonstration of the functional tests to the opposing counsel and their technical experts

RESULTS

- Chipworks’ sophisticated in-house technical analysis capabilities protected their competitive position, helped prepare for litigation and helped develop successful IP strategies
- The lawsuit was dismissed soon after Chipworks performed the live demonstration
- The giant saved millions of dollars in litigation costs and damages
- The giant continues to rely on Chipworks to support its licensing negotiation and litigation activities