

Samsung Hit With \$25M Semiconductor IP Verdict In EDTX

By **Dani Kass**

Law360 (May 19, 2021, 10:34 PM EDT) -- Samsung should pay Acorn Semi LLC \$25 million for infringing four patents tied to semiconductor technology, an Eastern District of Texas jury decided Wednesday.

The jury found Samsung had infringed every patent claim the Acorn Technologies Inc. unit had asserted, but that none of the infringement was willful. It concluded Samsung should pay a lump sum of \$25 million for the misconduct.

"We are pleased that the jury found infringement on all asserted claims and recognized the significant value of Acorn's patented technology," Doug Dixon of Hueston Hennigan LLP, who is representing Acorn, told Law360 in an email.

Representatives for Samsung didn't immediately respond to a request for comment late Wednesday.

Acorn had accused Samsung Electronics Co. Ltd. and other affiliates of manufacturing transistors for cellphones that ripped off a collection of its patents on a technique to minimize contact resistance in small devices.

The trial overseen by U.S. District Judge Rodney Gilstrap started May 13, about a year and a half after Acorn filed its complaint in the Marshall, Texas, court.

Samsung has challenged the validity of the four patents that went to trial at the Patent Trial and Appeal Board, filing two petitions for inter partes review per patent. The PTAB has instituted the vast majority of those reviews, and is in the process of scrutinizing each of the four patents, according to online dockets.

When Samsung first tried to get Judge Gilstrap to stay the litigation to await the PTAB's rulings, he called the request "premature" in his September order, given that the PTAB had yet to decide whether to institute the reviews. When the topic was revisited post-institution, he still refused.

"This case is in a particularly advanced stage, and a jury trial on the current schedule will have long concluded before the PTAB is likely to issue final written decision," he wrote two months before trial.

The patents-in-suit are U.S. Patent Nos. 8,766,336; 9,461,167; 9,905,691 and 10,090,395.

Acorn is represented by Doug Dixon, John Hueston, Christina Rayburn, Joseph Reiter, Neil Anderson, Daniel Vinson, Julia Haines, and Justin Sorensen of Hueston Hennigan LLP and Robert W. Weber of Smith Weber LLP.

Samsung is represented by Lauren A. Degan, Michael J. McKeon, Michael J. Ballanco, Melissa Smith, Ruffin Cordell, Frank Albert, Daniel Tishman, Chet Campbell and Timothy Rawson of Fish & Richardson PC; Alan A. Limbach and Mark Fowler of DLA Piper, and Melissa Smith of Gillam & Smith LLP.

The case is Acorn Semi LLC v. Samsung Electronics Co. Ltd. et al., case number 2:19-cv-00347, in the U.S. District Court for the Eastern District of Texas.

--Additional reporting by Andrew Karpan. Editing by Regan Estes.

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