

Haynes and Boone Defeats Multi-Million Dollar Patent Licensing Suit Brought Against Firm Client HTC Corporation

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PRACTICES Patents, Intellectual Property

Haynes Boone recently won a major victory on behalf of well-known cellphone manufacturer, HTC Corporation, when a New York appellate court upheld the dismissal of all claims asserted against HTC in a multi-million dollar breach of contract suit brought by WiAV Solutions, Inc., who licensed certain patent rights in wireless handset technology to HTC in 2009.

The March ruling affirmed the order of dismissal obtained by Haynes Boone in May 2016 before the New York State trial court where WiAV originally commenced the action. That ruling brought an end to more than three years of litigation in which WiAV Solutions claimed that HTC violated certain payment provisions of the parties' patent license agreement by granting rights to or under WiAV's patent rights to non-parties Apple, IBM and Alcatel Lucent, without making corresponding payments to WiAV.

In a unanimous 5-0 ruling awarded with costs, New York's Appellate Division, First Department, found that the trial court correctly determined that none of the agreements at issue constituted an event for which WiAV was owed additional compensation. The ruling gave HTC the win in an aggressively litigated battle involving goliaths of the cellphone manufacturing industry.

HTC was represented by New York Partner Jon Pressment and New York Associate Will Feldman.