

## Haynes and Boone Helped Win Jury Verdict Named Nation's Largest in 2017

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**PRACTICES** Intellectual Property Litigation, Trademark Litigation, Copyright, Intellectual Property

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A federal jury verdict that Haynes Boone helped win for clients ZeniMax Media Inc. and idSoftware has been recently named the nation's largest jury verdict of 2017 by VerdictSearch.

A unit of ALM Media LLC, VerdictSearch collects and categorizes case data, which is drawn from firsthand reporting on both the plaintiff and defense sides of cases.

*ZeniMax* topped the list of the nation's 10 largest verdicts for 2017, according to the VerdictSearch report, which was released earlier this year. The full report can be found [here](#).

A Dallas federal jury returned the *ZeniMax* verdict on Feb. 1, 2017. The verdict also ranks as one of the largest in Haynes Boone history, and is a major victory for the client in its years-long legal battle to be compensated for the theft of its cutting-edge technology used in virtual reality headsets. A judgment has not yet been entered in the case.

*ZeniMax*'s Haynes Boone trial team was led by Partner Phillip Philbin and included Associates Michael Karson and [Tiffany Cooke](#). *ZeniMax* also was represented by a team from Skadden, Arps, Slate, Meagher & Flom led by Tony Sammi. The Philbin/Sammi team is the same one that recorded a take-nothing judgment against Data Treasury after a multi-week jury trial in Marshall, Texas relating to electronic check processing.

"Haynes Boone is proud to have helped win a jury verdict that has been recognized as the largest in the country in 2017," Philbin said.

*ZeniMax* sued Oculus and certain of its principals in 2014, claiming the defendants unlawfully infringed *ZeniMax*'s copyrights and trademarks and violated a non-disclosure agreement pursuant to which *ZeniMax* shared breakthrough virtual reality technology with Oculus. *ZeniMax* added Facebook to the case after Facebook acquired Oculus later in 2014.

The three-week jury trial in 2017 featured testimony from several prominent technology figures, including Robert Altman (*ZeniMax* CEO), Mark Zuckerberg (Facebook CEO), John Carmack (creator of the video game, *Doom*), and Palmer Luckey (the founder of Oculus).

The jury deliberated for two-and-a-half days before returning the verdict finding liability for copyright and trademark infringement and for breach of the non-disclosure agreement with *ZeniMax*.

The trial and verdict have garnered widespread publicity, including coverage in *Bloomberg*, *Law360*, the *New York Times*, *Forbes* and *American Lawyer*.