

# International Trade Commission



## The Forum of Choice for Expedited Relief

**The International Trade Commission (ITC) addresses high-stakes intellectual property disputes involving imported goods. With its expedited schedule, the ITC can resolve issues quickly and forcefully. It offers speedy and substantive resolution to companies seeking to block imported products that allegedly infringe a U.S. intellectual property right.**

To harness the power of an ITC decision on a client's behalf, Fish & Richardson offers the strongest, most experienced team practicing before the ITC today. Fish's skilled professionals bring a multidisciplinary approach to ITC proceedings, drawing on their expertise in patent law, litigation, and licensing of intellectual property rights.

Together, Fish's lawyers provide an exceptional blend of knowledge and familiarity with the ITC's unique rules and procedures. For example, the Fish team includes a former supervisory attorney with 20 years of experience at the ITC and a prominent trial attorney who co-teaches the first law school class in the U.S. dedicated to intellectual property enforcement rights at the ITC.

Fish was active in the ITC long before the recent "rush" to appear in its chambers, and we have the victories to prove it. Fish handles more ITC patent litigation – about 15 percent of all active patent cases at the ITC each year – than any other law firm.

### Advantages of the ITC

The ITC is the forum of choice for expedited relief because its cases, called investigations, have three primary advantages. First, ITC cases are generally decided in 14 to 16 months – much more quickly than district court cases, which typically take two to four years to resolve. Second, the ITC wields broad jurisdiction, including nationwide subpoena power and *in rem* jurisdiction on goods imported into the U.S. Third, an ITC exclusion order is enforced by U.S. Customs and Border Protection.

While the ITC cannot award monetary damages, it can bar infringing products from entry into the U.S. by issuing exclusion orders. ITC proceedings allow patent holders to obtain significant prospective relief without filing actions against numerous foreign and/or domestic infringers. As a result, accused infringers often face the possibility of having entire product lines, or perhaps their entire business, barred from the U.S. market.

While an ITC investigation can be used in lieu of a district court action, it can also be a powerful complement to a conventional patent litigation in federal district court. Moreover, ITC investigations are not limited to patent disputes. Trademark, copyright, and trade secret owners have also found the ITC extremely effective in protecting their IP rights. The swift and powerful remedies available before the ITC provide a striking tactic for IP owners and frequently afford greater leverage in negotiations.

## Named #1 in International Trade Commission Filings

*The National Law Journal*, 2014

## Patent Litigation “Law Firm of the Year”

*U.S. News and Best Lawyers*, 2015

## Named the #1 Patent Litigation Firm for 11 Years

*Corporate Counsel*, 2004–2014

## IP Litigation Department of the Year finalist

*The American Lawyer*, 2014

## Named to “Appellate Hot List”

*The National Law Journal*, 2014

## Named to “Intellectual Property Hot List”

*The National Law Journal*, 2014

### Backed by Top U.S. Patent Litigators

Fish's litigation success at the ITC and beyond has been widely recognized. For example, *U.S. News* and *Best Lawyers* awarded Fish & Richardson as the patent litigation “Law Firm of the Year” for 2015. Furthermore, *Corporate Counsel* has ranked us as the most active patent litigation firm in the U.S. every year since 2004. *Managing Intellectual Property* magazine also named Fish the top patent litigation firm in the country and “ITC Litigation Firm of the Year” (2012). Chambers USA has given Fish a Band 1 ranking for ITC work (2012).

Our experienced attorneys are also actively involved in bringing and defending high-stakes copyright, trademark, and trade secrets cases, as well as a broad range of complex commercial litigation.

### Fish & Richardson's ITC attorneys are IP litigators who have extensive experience and one of the nation's best track records at the ITC.

#### Fish's representative investigations before the ITC include:

*Certain Wireless Devices, Including Mobile Phones and Tablets II*: Represented respondent Samsung Electronics Co. Ltd in a case relating to wireless devices, including mobile phones and tablets with GPS signals (2014).

*Certain Wireless Consumer Electronics and Devices and Components Thereof*: Represented respondent LG Electronics in a microprocessor patent case, which included LGE's smartphones and mobile devices (2014).

*Certain Electronic Devices, Including Wireless Communication Devices, Tablet Computers, Media Players, and Televisions, and Components Thereof*: Represented respondent Samsung in a case involving software and hardware for mobile devices (2013).

*Certain Computers and Computer Peripheral Devices and Components Thereof and Products Containing Same*: Represented respondent Kingston against Technology Properties Limited LLC in a suit involving flash memory card readers (2013).

*Certain Electronic Devices Having Placeshifting or Display Replication Functionality*: Represented complainant Sling Media in a case involving electronic devices with placeshifting and/or display replication functions (2013).

*Certain Robotic Toys*: Represented complainant Innovation First International, Inc., in a case involving robotic toys (2013).

*Certain Sintered Rare Earth Magnets, Methods of Making Same, and Products Containing Same*: Represented respondents AKG Acoustics, Harman International, Bose, and Dewalt in a case relating to sintered rare earth magnets (2012).

*Certain Electronic Devices Having a Retractable USB Connector*: Represented respondent Samsung in a case involving electronic devices having a retractable USB connector (2012).

*Certain Consumer Electronics, Including Mobile Devices and Tablets*: Represented respondent Samsung in a case relating to consumer electronics, including mobile phones and tablets (2012).

*Certain Consumer Electronics and Display Devices and Products Containing Same*: Represented respondent Research In Motion Ltd. against complainant Graphics Properties Holdings Inc. in a patent infringement investigation relating to mobile and computing devices, televisions, and monitors (2012).

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Fish & Richardson is a global patent, intellectual property (IP) litigation, and commercial litigation law firm with more than 400 attorneys and technology specialists across the U.S. and Europe. Fish has been named the #1 patent litigation firm in the U.S. for 11 consecutive years. Fish has been winning cases worth billions in controversy – often by making new law – for the most innovative clients and influential industry leaders since 1878. For more information, visit [www.fr.com](http://www.fr.com).

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