





Ralph A. Phillips

Principal

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Overview

About Ralph

Ralph Phillips is a principal in the Washington, D.C., office of Fish & Richardson P.C. Mr. Phillips is a trial attorney experienced in all phases of litigation, and has appeared and argued in U.S. district courts and before the U.S. International Trade Commission in section 337 proceedings. In his practice, Mr. Phillips has handled cases involving diverse technologies, including smartphones, lithium-ion batteries, LCD and plasma displays, digital televisions, computer hardware and software, semiconductor fabrication, medical devices, and turbochargers.

Before beginning his legal career, Mr. Phillips worked as a process control engineer for the International Paper Company, where he implemented supervisory control systems to automate and optimize manufacturing processes. Mr. Phillips's work required him to understand the operation of various systems, including power generation, chemical and mechanical systems, as well as the electronics used to control them. Also, as part of his work, Mr. Phillips instructed operators on how to use the systems he designed. As a patent litigator, Mr. Phillips uses his diverse technical background and expertise, as well as his experience as an instructor, to explain technical and legal concepts in a clear and persuasive manner.

Focus Areas

Services

- Litigation

- ITC Litigation
- Patent Litigation

Industries

- Hardware
- Medical Devices
- Semiconductors
- Software

Education

J.D., University of Pennsylvania Law School (2000)

M.S., Mechanical Engineering, North Carolina State University (1995)

B.S. *with distinction*, Aerospace Engineering, Pennsylvania State University (1993)

Experience

U.S. District Court Cases

Signal IP, Inc. v. American Honda Motor Co., Inc. et al. (C.D. Cal.) – Representing defendant Honda in patent infringement action regarding automotive safety systems.

Zenith Electronics LLC v. Sony Corporation, et al. (E.D. Tex.) – Represented Zenith in enforcing certain patents related to digital televisions in infringement action.

LG Electronics, Inc. v. Hitachi, Ltd. (S.D. Cal.) – Represented LGE in enforcing certain patents related to digital televisions in infringement action.

BorgWarner, Inc. v. Honeywell Int'l, Inc. (W.D.N.C.) – Represented BorgWarner in asserting three of its patents regarding the design and manufacture of turbocharger components.

Hitachi Plasma Patent Licensing Co. v. LG Electronics, Inc. (E.D. Tex.) – Represented LGE in a patent infringement action involving plasma televisions.

LG Electronics, Inc. v. Hitachi, Ltd. (E.D. Tex.) – Represented LGE in asserting certain patents

related to plasma televisions in infringement action.

Cheetah Omni, LLC v. Level 3 Communications, Inc. & Infinera Corporation (E.D. Tex.) – Represented defendants Infinera and Level 3 Communications in a patent infringement action involving optical networking technology.

Toshiba Corporation v. Juniper Networks, Inc et al. (D. Del.) – Represented defendant Juniper in a patent case relating to router technology. Judgment of non-infringement entered after favorable Markman ruling. Affirmed on appeal.

3Com Corp. v. D-Link Systems Inc. (N.D. Cal.) – Represented defendant D-Link in a patent infringement case brought by 3Com in the Northern District of California involving network interface controller products.

LG Philips LCD Co., Ltd. v. Tatung Co. of America, et al. (C.D. Ca.) – Represented plaintiff LG Philips in asserting certain patents related to LCD televisions in infringement action. Case resulted in a \$50M verdict for LG Philips.

LG Electronics, Inc. v. Bizcom Electronics, Inc. et al. (N.D. Cal.) – Represented LGE in asserting certain patents related to PCs in infringement action.

Central Sprinkler Co. v. Reliable Automatic Sprinkler Co. (S.D.N.Y.) – Represented Central Sprinkler in asserting certain patents related to automatic sprinkler systems.

U.S. International Trade Commission, Section 337 Proceedings

Certain Lithium Ion Battery Cells, Battery Modules, Battery Packs, Components Thereof, and Products Containing Same, ITC Inv. 337-TA-1181 – Represented complainants LG Chem and Toray Industries in patent infringement case. The case settled favorably.

Certain Pouch-Type Battery Cells, Battery Modules, Battery Packs, Components Thereof, and Products Containing Same, ITC Inv. 337-TA-1179 – Represented LG Chem respondents in patent infringement case regarding lithium ion batteries for electric vehicle applications. The case settled favorably.

Certain Batteries and Electrochemical Devices Containing Composite Separators, Components Thereof, and Products Containing Same, ITC Inv. No. 337-TA-1087 – Represented complainants LG Chem and Toray against respondent Amperex Technology in multi-patent case involving lithium ion battery technology. The case settled favorably following trial.

Certain Robotic Vacuum Cleaning Devices and Components Thereof Such as Spare Parts, ITC Inv. 337-TA-1057 – Represented complainant iRobot in a patent infringement investigation relating to autonomous behavior and embedded systems. The case settled following a finding of a violation at

the initial determination.

Certain Network Devices, Related Software and Components Thereof (II) (ITC Inv. No. 337-TA-945) – Representing respondent Arista in investigation regarding patents asserted against network switching devices.

Certain Set-Top Boxes, Gateways, Bridges and Adapters and Components Thereof (ITC Inv. 337-TA-915) – Represented complainant ViXS in investigation enforcing patents related to the structure and operation of multimedia devices. The investigation was terminated after settlement.

Certain Electronic Devices, Including Certain Wireless Communication Devices, Tablet Computers, Media Players, and Televisions, and Components Thereof (ITC Inv. No. 337-TA-862) – Represented Samsung respondents in an investigation relating to, amongst other things, speech coding and decoding algorithms and digital signal processing in computer products and mobile devices. The investigation was terminated after a full evidentiary hearing on the merits but prior to issuance of an initial determination due to settlement.

Electronic Devices with Communication Capabilities, Components Thereof, and Related Software (ITC Inv. 337-TA-808) – Represented respondent in investigation regarding patents asserted against various computer products and mobile devices. The investigation was terminated after a full evidentiary hearing on the merits but prior to issuance of an initial determination due to settlement.

Certain Electronic Devices Having a Digital Television Receiver and Components Thereof (ITC Inv. 337-TA-774) – Represented complainant Zenith Electronics in investigation enforcing patents related to digital televisions. The investigation was terminated after settlement.

Certain Video Displays, Components Thereof, and Products Containing the Same (ITC Inv. 337-TA-687) – Represented complainant LG Electronics in investigation enforcing patents related to digital televisions. In initial determination finding a violation was entered after a full evidentiary hearing on the merits, and the investigation was terminated due to settlement prior to issuance of a final determination by the Commission.

Insights

Publications

- “Strategic IP Considerations of Batteries and Energy Storage Solutions,” *Fish & Richardson, P.C.* (August 31, 2021)
- “ITC Judge Finds Vizio, AmTran Infringed LG Patent,” *Law360* (September 2010)