

# Section 337 Investigations at the U.S. International Trade Commission



King & Spalding has been involved in some of the largest, most complex and precedent-setting Section 337 cases ever litigated at the U.S. International Trade Commission (ITC). The core King & Spalding Section 337 team has experience in the myriad disciplines necessary to litigate Section 337 investigations effectively: patent litigation and technical knowledge; extensive hearing experience at the ITC; understanding of international trade and the ITC's procedures; *inter partes* review experience at the U.S. Patent and Trademark Office; appellate experience on intellectual property matters; and top-tier governmental relations.

## OUR SECTION 337 EXPERIENCE

Our Section 337 team combines significant litigation experience with strong technical backgrounds. Our lawyers have handled dozens of investigations at the ITC over the past 10 years. We also have tried more than 100 cases to judgment in the district courts, had more than 200 cases decided on summary judgment, conducted more than 60 Markman hearings, had over 500 cases settled favorably prior to trial, and argued over 100 appellate cases, including before the U.S. Supreme Court. Additionally, King & Spalding attorneys have handled close to 300 *inter partes* or post-grant proceedings. We are particularly deep in electrical, computer, and mechanical patent experience, which comprise the majority of investigations at the ITC under Section 337. Our professionals include engineers, scientists, and programmers with decades of industry experience across diverse industries and specialties, including numerous Ph.D.'s, in a wide range of disciplines.

*Ranked as one of the top IP Practice Groups of the Year, and specifically recognized for patent litigation and ITC Section 337 investigations*  
*Managing Intellectual Property's World IP Survey*

*Ranked among the top firms in the Supreme Court and Court of Appeals categories*  
*Legal 500*



*"International Trade Group of the Year" in 2011, 2016, and 2017*  
*Law360*

Our team also brings unique skills and perspectives to the domestic industry, remedy, importation, international trade, public interest, and procedural aspects of Section 337 investigations. Our team has the experience to manage the government relations aspects of Section 337 investigations, including the public interest and presidential review aspects of Section 337 investigations. Finally, our D.C.-based national Appellate Practice Group specializes in intellectual property appeals before the U.S. Court of Appeals for the Federal Circuit, which hears Section 337 appeals, and the U.S. Supreme Court.

Our lawyers have been recognized in *Chambers USA, Corporate Counsel's "Who Represents America's Biggest Companies?," IP Law & Business Magazine, The Best Lawyer's in America, Washington Superlawyers, Legal 500, The International Who's Who of Business Lawyers (Patents & Trademarks), Euromoney Publications' Guide to the World's Leading Patent Law Experts, Montclair Who's Who Directory of Industry Leaders from Around the World, and Intellectual Property Today.*

## RECENT MATTERS

Representative Section 337 cases:

- Certain Synthetically Produced, Predominantly EPA Omega-3 Products in Ethyl Ester or Re-esterified Triglyceride Form, ITC Inv. No. 337-TA-3247
- Certain Multi-Mode Outdoor Grills, ITC Inv. No. 337-TA-895
- Certain Integrated Circuits, ITC Inv. No. 337-TA-873
- Certain Semiconductor Integrated Circuits and Products Containing Same, Inv. No. 337-TA-665
- Certain Flash Memory Chips and Products Containing Same, Inv. No. 337-TA-664
- Certain Nitrile Gloves, Inv. No. 337-TA-608
- Certain Semiconductor Chips With Minimized Chip Package Size and Products Containing Same, Inv. No. 337-TA-605
- Certain Semiconductor Memory Devices and Products Containing Same, Inv. No. 337-TA-470

International Trade Partner, **Jeffrey Telep**, is the President of the ITC Trial Lawyers Association

## REPRESENTATIVE CLIENTS

Amarin Pharma, Inc,	Ninebot
Analog Devices	Nokia
Advanced Micro Devices	Personal Communications Devices
ASML	Qimonda
Broadcom	Rankam
Contixo Co.	Raytheon
Cooper Industries	Rhapsody International
Ericsson, Hewlett Packard	Scientific-Atlanta
Hoffmann-La Roche, IBM	Spansion
Infineon Technologies	Tillotson Corporation
Intel	Verizon Communications
Magnetic Component Engineering	W.C. Bradley Co. (CharBroil)
Micron Technology	Wolfson Microelectronics
Myriad	

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