

KING & SPALDING

# 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; international trade experience; understanding of the ITC's practices and procedures; *inter partes* review experience at the U.S. Patent and Trademark Office; appellate experience on intellectual property matters; and a top-tier governmental relations practice.

## 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 15 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 versed in electrical, computer, and mechanical technical disciplines, which comprise the majority of investigations at the ITC under Section 337. Our professionals include degreed engineers, scientists, and programmers with decades of industry experience across diverse industries and professions, including numerous PhDs, in a wide range of disciplines.

Our team also brings unique skills and perspectives to the international trade aspects of Section 337 investigations, specifically importation, domestic industry, remedy, bond, and public interest; and the 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



*Nationally ranked for  
Section 337*



*Nationally ranked for  
Patents: Litigation (ITC)*

*Ranked as one of the top IP  
Practice Groups of the Year,  
and specifically recognized  
for patent litigation and ITC  
Section 337 investigations*

**- Managing IP, 2022**

Section 337 investigations. Finally, our D.C.-based national Appellate Practice Group focuses on 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 Super Lawyers*, *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*.

## REPRESENTATIVE SECTION 337 MATTERS

- *Certain Networking Devices*, Inv. No. 337-TA-1298
- *Certain Tunable Lenses*, Inv. No. 337-TA-1282
- *Certain Smart Thermostats and Load Control Switches*, Inv. No. 337-TA-1277
- *Certain Networking Devices, Computers, and Components*, Inv. No. 337-TA-1275
- *Certain Optical Enclosures*, Inv. No. 337-TA-1274
- *Certain Silicon Photovoltaic Cells and Modules*, Inv. No. 337-TA-1271
- *Certain Radio Frequency Identification Devices (RFID)*, Inv. No. 337-TA-1234
- *Certain In Vitro Fertilization Products*, Inv. No. 337-TA-1196
- *Certain Semiconductor Devices (I)*, Inv. No. 337-TA-1176
- *Certain Vehicle Security Remote and Convenience Systems*, Inv. No. 337-TA-1152
- *Certain Synthetically Produced, Predominantly EPA Omega-3 Products in Ethyl Ester or Re-esterified Triglyceride Form*, ITC Docket No. 3247
- *Certain Wireless Devices, Including Mobile Phones and Tablets II*, Inv. No. 337-TA-905
- *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

Partner **Jeffrey Telep** is the past President of the ITC Trial Lawyers Association and is a recognized International Trade Section 337 practitioner by *Chambers USA 2022*.

## REPRESENTATIVE CLIENTS

Advanced Micro Devices  
Advanced Silicon Group  
Amarin Pharmaceuticals  
Amtech Systems LLC  
Broadcom  
Causam Enterprises  
Cooper Industries  
Criterion Technology  
EMD Serono  
F5 Networks  
Hesai  
Holochip  
Infineon Technologies  
Intel  
Micron Technology  
Microsoft  
Ninebot  
Nokia  
Qimonda  
Spansion  
Taiwan Semiconductor  
Manufacturing Company  
Tillotson Corporation

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