

## Winston & Strawn's Victory for Panasonic Corp. Discussed in Various Media Outlets

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As reported in various media outlets, including *Law360*, *AmLaw Litigation Daily* and *Bloomberg BNA Electronic Commerce and Law Report*, U.S. District Judge Jeffrey S. White dismissed a putative consumer class action alleging that Winston & Strawn client Panasonic Corp., as well as Toshiba Corp. and SanDisk Corp., attempted to corner the secure disk memory cards market by requiring competitors to enter restrictive patent-licensing agreements. Judge White ruled that the proposed indirect purchaser class waited too long to bring its antitrust suit against the electronics companies.

Judge White had previously dismissed a related suit brought against SD-3C and Panasonic by Samsung Electronics Co. Ltd. for being time-barred and said the proposed class's argument suffered from the same flaws as Samsung's.

Jeffrey Kessler, a partner in Winston & Strawn's New York office and lead attorney for Panasonic, explained the importance of the ruling, stating: "This class action case, along with a companion decision in Samsung, establishes the very important principle that parties cannot launch untimely legal attacks upon industry standard making and patent pool licensing, years beyond the applicable statute of limitation."

He described the arguments made by Oliver and Samsung as "two flavors of the same ice cream. You can always find some consumer who five years later buys the product for the first time. That can't change the conclusion."

Kessler brought the case with him from Dewey & LaBoeuf when he joined earlier this month.

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Panasonic Consumer Antitrust Class Action

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Jeffrey Kessler