

Law360 and Am Law Litigation Daily Profile Major Patent Victory for Winston Client Comcast IP Holdings

AUGUST 7, 2015

Law360 and The American Lawyer Litigation Daily published articles on August 7 and 9, 2015, respectively, concerning a recent win by a team of Winston & Strawn attorneys and co-counsel Davis Polk & Wardwell that saw a \$27.6 million jury verdict voided against Winston client Comcast Communications.

On August 7, the team persuaded Judge Richard Andrews of the District of Delaware to reverse the jury verdict previously entered in a lawsuit brought by Sprint Communications. Sprint sued Comcast for the infringement of two fiber optics patents, and after a four-day trial in February, a jury sided unanimously with Sprint.

Reviewing the jury's verdict, Judge Andrews concluded that it had to be reversed: "Viewing the evidence in the light most favorable to Sprint, I find that ... a reasonable jury could not have found infringement for any of [Comcast's] 79 accused networks." The judge further held that "Sprint presented an incorrect infringement theory to the jury, which may have 'unfairly influenced the verdict.' Therefore, allowing the verdict to stand would result in 'a miscarriage of justice.'"

The Litigation Daily characterized the decision as "a victory-from-the-jaws-of-defeat moment."

The Winston team included associate Krishnan Padmanabhan.

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