

Nvidia's Tablets Don't Infringe Samsung Patent, Jury Finds

By **Vince Sullivan**

Law360, Wilmington (February 5, 2016, 8:41 PM ET) -- A federal jury in Virginia on Friday found that Nvidia Corp.'s Shield tablets do not infringe a patent held by Samsung Electronics Co. Ltd.

According to the jury verdict, Samsung did not prove Nvidia infringed four claims in U.S. Patent Number 6,819,602 covering hardware and processes for devices using the Android operating system. The jury also found that one of the claims in the patent is invalid because it is anticipated by prior art.

"Nvidia got the justice they deserved," attorney Max Grant of Latham & Watkins LLP said of his client. "The jury got this 100 percent right."

In a motion for judgment as a matter of law filed Friday before the verdict was returned, Nvidia argued that Samsung hadn't shown any evidence in its case to support its claims that the patent was infringed.

"In particular, Samsung did not introduce any evidence that shows that Nvidia actually practices each and every step of the asserted method claims," Nvidia wrote in a memorandum supporting its motion.

Nvidia argued in its motion that Samsung failed to show that Nvidia's products actually utilized technology covered by the contested patent. It is not enough for Samsung to show that Nvidia could have infringed, the company said.

Samsung alleged in the 2014 infringement suit that Nvidia used technology covered by eight patents in its Shield tablets, which use the Android operating system just as Samsung's phones and tablets do. The motion, mooted by the verdict, sought judgment as a matter of law over claims related to the '602 patent covering the use of data signals and semiconductor memory.

Throughout the trial, the claims of infringement on other patents were stripped from the case. The eight patents originally asserted cover a variety of computing technologies, including data buffering, ways of forming microelectronic structures and a method for creating a semiconductor transistor, according to the complaint.

In July, Samsung dismissed false advertising claims against Nvidia that were originally part of the suit, leaving only infringement claims for four patents, down from the initial tally of eight, according to court documents.

Last month, a federal judge granted Nvidia's unopposed motion that Samsung Electronics America Inc.

be struck as a plaintiff from the case because of lack of subject matter jurisdiction, as Samsung Electronics Co. Ltd. is the entity that holds all the rights, title and interest in the four patents asserted in the case at that time.

Representatives for Samsung could not immediately be reached for comment Friday.

The patent-in-suit is U.S. Patent Number 6,819,602.

Samsung is represented by Brian C. Riopelle and Robert W. McFarland of McGuireWoods LLP, and Darin W. Snyder, Vision L. Winter, Ryan K. Yagura and Marc J. Pensabene of O'Melveny & Myers LLP.

The defendants are represented by Dabney J. Carr IV and Robert A. Angle of Troutman Sanders LLP, and Maximilian A. Grant, Bert C. Reiser, Gabriel K. Bell, Matthew Aichele, Clement J. Naples, Michael A. David, Ron E. Shulman, Richard G. Frenkel, Lisa K. Nguyen and Julie M. Holloway of Latham & Watkins LLP.

The case is Samsung Electronics Co. Ltd. v. Nvidia Corp. et al., case number 3:14-cv-00757, in the U.S. District Court for the Eastern District of Virginia.

--Additional reporting by Kevin Penton and Beth Winegarner. Editing by Aaron Pelc.

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