



I R E L L & M A N E L L A L L P

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## **Irell & Manella Wins Summary Judgment of Noninfringement and Invalidity for Texas Instruments, Defeating \$94 Million Patent Claim**

*Firm defeats subsidiary of patent-holding company Acacia, TI awarded its costs of suit*

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LOS ANGELES/SANTA ANA, CA (February 14, 2007) – **Irell & Manella** has secured summary judgment on behalf of **Texas Instruments Incorporated (TI)** in a federal patent infringement case filed by a subsidiary of patent-holding company **Acacia Research Corp.**

Short-circuiting a costly and protracted trial, the Chief Judge of the U.S. District Court for the Central District of California granted summary judgment that Dallas-based Texas Instruments did not infringe any claim of the patent asserted by **Microprocessor Enhancement Corporation (MEC)**, and that each claim of the MEC patent is invalid.

MEC was seeking more than \$94 million in damages and a permanent injunction against TI's patented C6000 line of high-performance digital signal processors (DSPs).

Newport Beach, CA-based Acacia Research is one of the country's largest and most aggressive serial filers of patent litigation – the company claims to control some 58 separate patent portfolios. Its MEC subsidiary, also of Newport Beach, filed suit against both TI and **Intel Corp.** in the spring of 2005, accusing both companies of infringing a patent acquired by MEC that related to the architecture of high-performance processors such as TI's DSPs. MEC later dismissed Intel from the case but subsequently filed a separate case against them in the same district.

Meanwhile, litigation between MEC and TI continued to move forward. In July 2006, Irell & Manella filed summary judgment motions on behalf of TI against MEC for noninfringement and invalidity of MEC's patent. MEC filed three of its own summary judgment motions.

In her ruling, issued February 9, Chief Judge Alicemarie H. Stotler granted TI summary judgment of noninfringement on two independent grounds, and also ruled that the claims of MEC's asserted patent were invalid on two separate grounds. She also denied all of MEC's motions for summary judgment and ordered MEC to pay TI's costs of litigation.

"Rulings such as this one encourage innovative technology companies such as TI to continue standing firm against the increasing number of meritless patent infringement lawsuits being threatened and filed against them," said TI General Counsel and Senior Vice President **Joseph F. Hubach**.

"This victory demonstrates that a solid defense is still the best offense against illegitimate claims of patent infringement," said Irell & Manella litigation partner **Gary Frischling**, who led the defense team. "It's a true pleasure to represent clients such as Texas Instruments, who recognize that the success of our patent system depends on vigorously challenging patentees who overreach in claiming infringement."

Also working on TI's behalf were Irell & Manella partner **Layn Phillips**, senior counsel **Brian Ledahl**, and associates **Keith Orso** and **Alex Karpman** in the firm's Los Angeles and Newport Beach offices.

This was not the first major IP win that Irell has obtained on behalf of Texas Instruments. The firm previously helped secure a stunning \$1 billion settlement from Samsung Corp., representing a multi-year licensing payment extending across a broad patent portfolio of TI patents.

Note:

**Irell & Manella LLP** is a full service law firm with approximately 220 attorneys in its Southern California offices in Los Angeles and Newport Beach. Founded in 1941, the firm is nationally recognized for its tax, entertainment, intellectual property, technology transactions, and litigation/appellate practices. Irell was named the Number 1 U.S. law firm for intellectual property by Chambers Global in 2005. The firm's clients include Fortune 500 corporations, universities, and leading-edge entrepreneurial companies in aviation, life sciences and medical devices, telecommunications, technology and consumer electronics, and entertainment. For more on the firm, visit <http://www.irell.com>.