

Susman Godfrey Secures Significant Federal Circuit Ruling in Patent Suit Against HTC

05.10.2018 | 10 | 21NEWS

The Court of Appeals for the Federal Circuit (CAFC) has issued an important, precedent-setting ruling in favor of Susman Godfrey LLP clients Koninklijke KPN N.V.; 3G Licensing, S.A.; and Orange S.A. in their patent dispute with HTC Corporation (HTC).

In the decision, the court reaffirmed the “long-established rule that suits against aliens are wholly outside the operation of all the federal venue laws, general and special.” The ruling means that foreign entities like HTC can be sued for patent infringement in any federal district court in the United States.

The CAFC’s opinion was in response to a petition filed by HTC for a writ of mandamus ordering the U.S. District Court for the District of Delaware to dismiss the case for lack of venue. That court had previously ruled against HTC on the venue issue. HTC then filed its petition with the CAFC, giving Susman Godfrey just 14 days to respond.

“This is an important decision for patent holders because, had it gone the other way, it would have created a situation where some foreign individuals and entities could never be sued for their infringement,” said Susman Godfrey attorney [Andres C. Healy](#), who drafted the firm’s response to the HTC petition. “We thought Chief Judge Stark got it right in his decision and are grateful that the Federal Circuit agreed. We are looking forward to continuing to press forward on the merits of the case and hope this decision will allow other plaintiffs to do so as well.”

Susman Godfrey partner [Lexie White](#) leads the Susman Godfrey team representing KPN. Associate [Hunter Vance](#) also worked with Healy on KPN and 3G’s response to HTC’s petition to the CAFC.

A copy of the CAFC’s ruling is available. Healy is also available for interviews.