

ITC LITIGATION

Protecting and taking full advantage of intellectual property in an interconnected global marketplace demands a wide variety of strategies. One such strategy is a Section 337 investigation at the U.S. International Trade Commission (ITC). The ITC offers several unique benefits compared to traditional litigation, notably speedy resolution, easy foreign service and discovery, and effective injunctive relief enforced by the U.S. Customs Service. Our skilled team of ITC litigators, including a former attorney in the ITC Office of General Counsel, has leveraged its expertise to achieve many victories for clients over the years.

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Based on our years of experience and familiarity with District Court and ITC proceedings, WHDA attorneys advise clients about the best strategy for their particular needs, particularly when simultaneously advancing both types of litigation. WHDA has handled ITC litigation for both patentees and importers, and is experienced in representing both U.S. and non-U.S. based clients. Additionally, we excel as ITC counsel working in cooperation with other U.S. law firms, as well as acting as local counsel for ITC cases.

Sample ITC Investigations

- › Successfully pursued a Section 337 investigation on behalf of a large US tool manufacturer. The ITC concluded that the imported tools infringed our client's common law and registered trademarks, and issued a general exclusion order prohibiting the importation of infringing tools.
- › Successfully defended a Section 337 investigation on behalf of a Taiwanese consumer electronics company. The ITC concluded that the asserted trademarks were invalid and not infringed, and refused to exclude our client's products from the US.
- › Successfully defended a Section 337 investigation on behalf of a Malaysian latex glove exporter. The ITC concluded, and the Court of Appeals for the Federal Circuit later affirmed, that the patent asserted against our client was invalid.
- › Successfully defended a Section 337 investigation on behalf of an Italian plastic netting maker. The ITC concluded that the two patents asserted against our client were invalid and unenforceable.
- › Successfully defended a Section 337 investigation on behalf of a Japanese robotics manufacturer. The ITC concluded that the asserted patents were not infringed.
- › Successfully pursued a Section 337 investigation on behalf of a large Japanese automotive manufacturer. The Respondents agreed to a Consent Order prohibiting the importation of infringing engines.



Related Professionals

- › Michael J. Caridi
- › Cindy H. Chen
- › Scott M. Daniels
- › Ken-Ichi Hattori
- › John P. Kong
- › Ching Kwok
- › Linda J. Shapiro