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**IN CASE YOU MISSED IT**

**Summary of Expert Discussion on Samsung v. Apple Post-Supreme Court Decision**

***Legal Experts Discussed Implications, Next Steps as Case Heads Back to Lower Courts***

WASHINGTON, DC – On Wednesday, January 4 2017, a panel of distinguished startup, intellectual-property, and Supreme Court experts held a media briefing conference call on the Supreme Court’s recent decision, issued in December of last year, in the long-running dispute between Samsung and Apple over Apple’s design patents. That historic decision reversed a $400 million verdict in Apple’s favor, representing all of Samsung’s profits on devices found to infringe Apple’s design patents, and imposed important limits on the special remedies available for design patent infringement.

Event host and moderator Carl Cecere served as counsel for the National Grange, the Hispanic Leadership Fund, and the National Black Chamber of Commerce in the case, filing an amicus brief on their behalf in the Supreme Court. In the wake of the call, Mr. Cecere released the following:

*“The Court has spoken, and its decision restores sanity to design patent damages and will protect innovators throughout our economy. The law may entitle a design-patent holder to recover all of an infringer’s profits from an “article of manufacture” incorporating the protected design. But we now know that an “article of manufacture” is not necessarily a whole product – it could be just a part or component of the whole.*

*Because Apple’s design patents protected only small parts of the phone’s outer casing and screen, the Federal Circuit needs to remand this case back to the district court to determine the component(s) to which the claimed design is applied and award the total profit on that component(s) to the design patent holder. Restoring sanity to design patent damages will ensure our innovation economy continues to benefit businesses of all sizes.”*

During the call, [Joshua D. Wolson](mailto:http://www.dilworthlaw.com/Lawyers/JoshuaDWolson), Partner at Dilworth Paxson LLC., stated:

*“I think the [Supreme Court] definitely got it right in finding a way to strike a balance in the world of design patents that was lacking in the decisions that some of the lower courts had issued.”*

With regards to the future impact on the industry and innovation economy, [Evan Engstrom](mailto:http://www.engine.is/about/), Executive Director of Engine Advocacy, stated:

*“The much larger threat here is creating sort of another weaponized IP tool for litigation abuse.”*