



INTELLECTUAL PROPERTY LAW
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TruePosition Damages Award Affirmed in Patent Infringement Case Against Andrew Corporation

Philadelphia – The U.S. Court of Appeals for the Federal Circuit has affirmed a \$43 million judgment and permanent injunction awarded against Andrew Corporation in a long-running patent infringement battle between TruePosition, Inc. and Andrew Corporation.

The appeal was from *TruePosition, Inc. v. Andrew Corporation* (No. 2009-1389; Fed. Cir. August 12, 2010). TruePosition was represented by a Woodcock Washburn team that included Gary Levin, Michael Stein, Lynn Morreale, Dan Goettle, and Jeremy Dukmen.

The appeal arose from TruePosition's action against Andrew for infringing a patent directed to use of technology known as Uplink Time Difference of Arrival (U-TDOA) to determine the location of wireless phones on the wireless system's control channel, which allows the location of phones to be tracked even when they are not in use. Known as the "144" or "control channel" patent, it is particularly important for safety and security applications.

In September of 2007, a Delaware District Court jury determined that Andrew willfully infringed the patent. Specifically, the jury found willful infringement with respect to sales by Andrew of its Geometrix® wireless location system to the Saudi Telephone Company (STC). Following post-trial proceedings, the district court awarded TruePosition \$23.25 million in compensatory and punitive damages. Andrew continued to ship products during these post-trial proceedings, and TruePosition re-opened the judgment for further proceedings against Andrew, leading the district court to award TruePosition an additional \$10.1 million in compensatory damages, \$9.6 million punitive damages, applicable pre-judgment and post-judgment interest, as well as costs and attorneys' fees related to the pursuit of the second phase of infringement. The Court also issued a permanent injunction that prohibits Andrew Corporation from making, using, selling, or offering to sell the various infringing Geometrix® products.

TruePosition, of Berwyn, Pa., a subsidiary of Liberty Media Corporation, is a leading provider of wireless location technologies and solutions.

About Woodcock Washburn LLP

Woodcock Washburn LLP, with offices in Atlanta, Philadelphia, and Seattle, has specialized in intellectual property law since 1946. Rated as one of the top IP law firms in the United States by IP Law & Business, the Firm was also named the top intellectual property firm in Pennsylvania by Chambers USA. The Firm's lawyers and scientific advisors provide national and international clients a full range of services that include litigation, patent procurement, IP strategies, trademarks & copyrights, licensing, and standards & open source software across a wide range of industries and technologies. For more information: www.woodcock.com.

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