

## EXAMPLES OF LAWSUITS INITIATED BY PATENT ASSERTION ENTITIES IN EUROPE

This document is an overview of a few of the lawsuits initiated by patent assertion entities (PAEs) in Europe between 2010 and 2017, representing only those that had been reported in the press or through statements of the parties. As information pertaining to lawsuits is often not otherwise accessible through the court system, this list is far from exhaustive.

Moreover, the information in this table does not relate to threats of litigation and claims for payment made by PAEs against European innovators prior to the commencement of formal legal proceedings. These threats are designed to force innovators to pay settlements to PAEs precisely to avoid lengthy and costly legal proceedings, but they are not available in the public domain. As a result, the overview of lawsuits initiated by PAEs in Europe represents merely the “tip of the iceberg” in terms of PAE activity, threats and abuses in Europe

DATE	PARTIES	COUNTRY	SECTOR	ISSUES	OUTCOME
2017	Marathon v. Honeywell Somfy	- Germany	- Heating and cooling	- Lawsuits alleging the infringement of a patent relating to the integrated building environment system	- Case pending
2017	Technicolor v. Samsung	- Germany - France	- Digital TVs and mobile phones	- Lawsuits alleging the infringement of ten patents covering video coding, telecoms and other associated technologies	- Cases pending
2017	Marathon v. Google Deutsche Telekom	- Germany	- Communication technologies	- Lawsuits alleging the infringement of three patents	- Case pending

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	Vodafone Telefonica ZTE Xiaomi Technology				
2016	Intellectual Ventures v. SFR	- France	- Telecoms	- Lawsuit alleging the infringement of a patent	- Case pending
2016	XXX v. Daimler	- Germany	- Automotive	- Lawsuit alleging the infringement of a patent on a heating system	- Case settled  - German Federal Court of Justice issued an injunction in May 2016 against sales of cars having the Airscarf  - Lower German courts found that the heating elements of the Airscarf and patent differed so there could be no infringement
2016	Nokia v. Apple	- Germany (two regional courts) - France (1 patent) - Italy (4 patents) - Sweden (3 patents)	- Smartphones	- Lawsuits alleging the infringement of 32 patents covering everything from displays to user interface, chipsets and antennas, after	- Cases pending

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				failing to reach a deal	
2016	Dolby Laboratories Inc. v. Wiko	- Germany	- Smartphones	- Lawsuit alleging the infringement of AAC SEPs.	- Case settled out of court in October 2016  - No press release allowed as part of settlement
2016	Sisvel v. Wiko	- Germany	- Smartphones	- Lawsuit alleging the infringements of 2G/3G SEPs	- Case pending  - Hearing scheduled on 17 February
2015	Intellectual Ventures v. Vodafone GmbH	- Germany	- Telecoms	- Lawsuits alleging the infringement of 7 patents relating to DSL technology	- Cases pending
2015	Marathon v. Yahoo Pinterest	- Germany - France - Italy	- Software	- Lawsuits alleging the infringement of a patent relating to application software for smartphones and tablet computers	- Injunctions enforced in summer 2016 in Germany, France and Italy  - Yahoo appealed the court's judgements.  - German court rendered two court rulings in May 2016 including injunctive relief and declaration of

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					liability for damages against Yahoo
2014	IPCom v. Apple HTC	- Germany	- Smartphones	- Lawsuits alleging the infringement of patents relating to 3G	- Lawsuits rejected by a German court
2014	Acacia v. Deutsche Telekom HTC	- Germany	- Smartphones	- Lawsuit alleging the infringement of SEPs related to voice coding technology	- German court issued an injunction in 2015  - Acacia and HTC entered into patent licence agreements in 2016
2014	Unwired Planet v. Google Samsung Huawei HTC	- Germany - UK	- Telecoms	- Lawsuits alleging the infringement of six former Ericsson wireless patents	- German court did not grant a stay of proceedings pending the outcome of nullity actions  - German court issued judgements in 2016 confirming the infringement of those patents  - Decision expected  - English court ruled that two of the patents were

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					infringed while the third one was invalid
2013	IPCom v. Deutsche Telekom	- Germany	- Telecoms	- Lawsuits alleging the infringement of several SEPs	<ul style="list-style-type: none"> <li>- Settlement of hundreds of millions of euros</li> <li>- Further cases pending</li> </ul>
2013	France Brevets v. LG HTC	- Germany	- Smartphones	- Lawsuits alleging the infringement of near field communication (NFC) patents	<ul style="list-style-type: none"> <li>- HTC was granted a licence on these patents in 2016</li> <li>- German court confirmed the validity of the patents in 2015</li> <li>- Settlement with LG in 2014</li> </ul>
2013	Vringo v. Asus	- Germany	- Hardware/electronics	- Lawsuits alleging the infringement of patents directed to devices, including those with hotspot functionality, that provide data services between two different wireless/cellular networks	<ul style="list-style-type: none"> <li>- German court rejected patent suit in 2015</li> </ul>

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2012	UVP v. Telenet	- Belgium	- Digital TV	- Lawsuit alleging the infringement of a patent for an interactive television program guide system having multiple devices in a household	- Antwerp Court of First Instance rejected the infringement claim  - The Court also held UPV abused its rights amounting to unfair trade practice
2012	Vringo v. ZTE	- Germany - France - UK - Netherlands - Spain	- Telecoms	- Lawsuits alleging the infringement of patents relating to devices, including those with hotspot functionality, that provide data services between two different wireless/cellular networks	- Remaining cases settled for \$21.5 million  - German, French and Dutch courts dismissed patent suits in 2015  - UK court ruled one patent had been infringed in 2014
2011	Via Vadis v. Skype	- Germany	- Telecoms	- Lawsuits alleging the infringement of 2 patents relating to a data access and management system and a corresponding method	- German court rejected patent suit in 2013
2011	Papst v. Toll Collect	- The Netherlands - Germany - Switzerland	- Transport	- Lawsuit alleging the infringement of a	- Dutch court partially upheld the validity of the patent

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				patent regarding a road pricing system	- Toll Collect was held to infringe upon the remaining claims of the patent
2010	High Point v. KPN	- The Netherlands	- Telecoms	- Lawsuit alleging the infringement of a patent for relating to mobile communication networks	- Dutch court dismissed patent suit in 2010