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A SPECIAL REPORT

MASTERS OF THE COURTROOM **WINNING LITIGATORS**



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■ **TELL US ABOUT YOUR BIGGEST TRIAL WIN FROM JANUARY 2018 THROUGH JUNE 2019 AND HOW YOU ACHIEVED THE RESULT FOR YOUR CLIENT.**

I led IBM's first-ever patent jury trial (on the plaintiff's side) and won an \$82.5 million verdict with willful infringement. Just two months later, we settled for \$57 million (about 70% of the verdict).

At the high-stakes trial, we showed that IBM's early-stage e-commerce patents were foundational to the modern internet and still apply to online transactions.

Groupon argued the patents were old and outdated—some were secured 30 years ago—but we flipped that argument and portrayed Groupon as the “new kid

on the block” who uses others' innovations but refuses to pay for them.

The jury could easily relate to this teenager-who-takes-everything-for-granted idea, and that was our winning theme.

■ **SHARE TWO TRIAL TIPS THAT HAVE BEEN KEY TO YOUR SUCCESS.**

1) The jury is comprised of regular people who make decisions based upon what they feel is the right thing to do, so plan your arguments to convince the jury to want to rule for you.

2) To be convincing, you must be convinced, so only advance arguments you truly believe. ■