

ParkerVision Seeks To Reopen Patent Row Against Apple, LG

By **Kevin Penton**

Law360, New York (May 5, 2017, 3:07 PM EDT) -- Wireless communications company ParkerVision asked a Florida federal court Thursday to lift a pause in its suit with Apple, LG and Qualcomm over several smartphone patents after a related U.S. International Trade Commission investigation was terminated.

As the investigation was the primary basis for the stay in the case and ParkerVision successfully moved last month for the ITC to terminate it after the company sought to withdraw its underlying complaint, ParkerVision believes the Middle District of Florida should reopen the matter in the instant case, according to its motion.

"The court stayed this action 'pending a final determination of the International Trade Commission...' and contemplated 'a motion to reopen filed by any party,'" ParkerVision wrote. "The final determination of the ITC occurred on April 28. Thus the court should lift the stay and place this action on the court's active docket."

ParkerVision told the court that it has spoken with counsel for defendants Apple Inc., LG Electronics Inc. and Qualcomm Inc., which do not oppose the move to administratively reopen the case but do oppose the company's motion in part because they deem it to be premature, according to the motion.

Samsung Electronics Co. Ltd., which was previously also a defendant in the case, **agreed** last year to enter into a license for ParkerVision's patent portfolio, ParkerVision announced in July.

The patents in suit cover technical matters for smartphones such as universal frequency translation technology and methods for converting baseland and electromagnetic signals, according to the complaint filed in December 2015 by ParkerVision, which alleges that the defendants' various products infringe.

The patents-in-suit are U.S. Patent Numbers 6,879,817; 7,929,638; 8,571,135; and 9,118,528.

ParkerVision is represented by Stephen D. Busey and James A. Bolling of Smith Hulsey & Busey and Michael T. Renaud, James M. Wodarski, Michael J. McNamara, Kristina R. Cary and Daniel B. Weinger of Mintz Levin Cohn Ferris Glovsky & Popeo PC.

Apple is represented by Brian E. Ferguson, Robert T. Vlasik III and Edward Soto of Weil Gotshal & Manges LLP.

Qualcomm and LG are both represented by John A. DeVault III of Bedell Dittmar DeVault Pillans & Coxe PA. Qualcomm is also represented by Stephen C. Neal, Stephen R. Smith, Jeffrey Karr, Matthew Brigham, Benjamin G. Damstedt and Eamonn Gardner of Cooley LLP. LG is also represented by Brian R. Nester, Michael R. Franzinger and Wonjoo Suh of Sidley Austin LLP.

The case is ParkerVision Inc. v. Apple Inc. et al., case number 3:15-cv-01477, in the U.S. District Court for the Middle District of Florida.