

Samsung, LG Settle DivX Patent Fights Over Smart TVs

By **Dani Kass**

Law360 (July 29, 2021, 8:25 PM EDT) -- DivX on Thursday said it has reached settlements with LG and Samsung, resolving international litigation claiming they infringe the video software company's streaming patents with their smart televisions.

The deals are confidential but will ensure the patents aren't infringed without a license, according to DivX Inc. They end litigation that spanned the U.S. International Trade Commission, Delaware, Texas, Germany and Brazil, the company added.

"We are very pleased with the recognition by Samsung and LG, two of the largest consumer electronics manufacturers in the world, that DivX's patented video streaming technology should no longer be used without a license," DivX CEO Brian Way said in a statement. "When other companies use our technology without authorization, including some of the largest companies in the world, our ability to protect our investment for both DivX and DivX's licensees ... is significantly impacted by their unauthorized use."

Representatives for LG Electronics Inc. and Samsung Electronics Co. Ltd. didn't immediately respond to requests for comment Thursday.

The ITC is investigating whether smart TV imports are infringing DivX's patents. The agency instituted its review against Samsung, LG and a third company, TLC Corp. and its affiliates, in October. DivX said Samsung and LG "bowed out" of the ITC investigation a week before the evidentiary hearing, which then proceeded with just TCL from July 7 to 15.

DivX noted that the settlements came after LG and Samsung lost the bulk of claim construction in March and then lost a bid for summary determination of noninfringement, among other rulings.

DivX had also sued LG and its affiliates in Delaware and Samsung and its affiliates in the Eastern District of Texas, as well as suing them overseas. The Delaware suit is still proceeding against Realtek Semiconductor Corp., according to online court records.

The patents-in-suit are U.S. Patent Nos. 8,832,297; 10,212,486; 10,412,141; and 10,484,749.

DivX is represented by Michael T. Renaud, Adam S. Rizk, Marguerite McConihe, Keith P. Carroll, Matthew C. Hurley, Michael J. McNamara, Samuel F. Davenport, Daniel B. Weinger, Matthew A. Karambelas, Jessica L. Perry and Nana Liu of Mintz Levin Cohn Ferris Glovsky and Popeo PC, Aaron Fahrenkrog of Robins Kaplan LLP, T. John Ward Jr., Charles Everingham IV, Claire Abernathy Henry and

Andrea L. Fair of Ward Smith & Hill PLLC, and Brian E. Farnan and Michael J. Farnan of Farnan LLP.

Samsung is represented by Michael J. McKeon of Fish & Richardson PC.

LG is represented by Renée Mosley Delcollo and Frederick L. Cottrell III of Richards Layton & Finger PA.

The cases are Certain Video Processing Devices, Components Thereof, and Digital Smart Televisions Containing the Same, investigation number 337-TA-1222, in the U.S. International Trade Commission, DivX LLC v. LG Electronics Inc. et al., case number 1:20-cv-01202, in the U.S. District Court for the District of Delaware, and DivX LLC v. Samsung Electronics Co. Ltd. et al., case number 2:21-cv-00187, in the U.S. District Court for the Eastern District of Texas.

--Editing by Adam LoBelia.

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