

PRACTICES:

- Intellectual Property and Technology
 - Global Patent Litigation
 - Patent Prosecution
 - Copyrights
 - Trademarks
 - Trade Secrets
- International
 - Korea Practice
 - China Practice
- Litigation
 - Technology Litigation

INDUSTRIES:

- Technology



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Experience

Song K. Jung is the chair of the Intellectual Property and Technology practice. His practice focuses on patent law and encompasses all aspects of patent law including patent prosecution, validity and infringement opinions, litigation, licensing, technology transfer and negotiation.

Mr. Jung has counseled clients through numerous IP litigation matters covering a wide range of technologies and industries in jurisdictions worldwide, including matters that have resulted in some of the top IP verdicts in the past few years. His experience prosecuting patents, handling negotiations and mediations to settle patent litigation matters in jurisdictions throughout the world, advising clients on technology transfers, joint ventures and other business transactions, and guiding clients through patent licensing opportunities has enabled him to help clients develop, protect and capitalize on their intellectual property.

Through changes in the legal and political landscape of intellectual property worldwide, Mr. Jung has counseled clients and led industry in addressing issues involving patent reform and international trade. He recently filed an *Amicus Curiae* brief in the U.S. Supreme Court on behalf of AmberWave Systems Corporation in a rare patent case heard by the Court (see *Quanta Computer, Inc. v. LG Electronics, Inc.*, No. 06-937). The brief responds to a crucial issue involving patent exhaustion.

Before practicing law, Mr. Jung was an electrical engineer for the Unisys Corporation, where he tested electronic and electromechanical components including analog and digital devices, memories and microprocessors for NASA flight projects.

His technical speciality is in electrical engineering including flat panel devices including liquid crystal displays (LCDs), plasma displays, and OLEDs; semiconductors (microprocessors, memories, LEDs, laser diodes and semiconductor packages); computers and telecommunications. He also advises clients in procuring and analyzing patents involving business method.

Notable Engagements

- ***LG.Philips LCD Co., Ltd. (LPL) v. Chunghwa Picture Tubes, Tatung Co., Tatung Co. of America, and ViewSonic Corp. (Case No. 05-292-JJF, D. Del.)***. Represented LPL regarding technology related to manufacturing TFT-LCD products to improve yield and reduce electrostatic discharge. The jury awarded more than \$52 million dollars, the entire amount that was requested at trial. The jury also concluded that infringement was willful. In a related case, ***LPL v. Chunghwa Picture Tubes, Tatung Co., and Tatung Co. of America (Case No. 02- 6775, CDCA)***, acted as co-counsel for LPL regarding technology related to improving performance and reliability of TFT-LCD products. The jury reached the same infringement conclusions and awarded LPL damages in the amount of \$53.5 million.

+ Publications:

- "Patent Licensing in the Display Industry: A Primer," *Information Display Magazine* (February 10, 2010), co-authored with Adrian P.J. Mollo.
- "TransCore and Freedom of Contract," *Bloomberg Law Reports - Intellectual Property*, (July 6, 2009), co-authored with Adrian P.J. Mollo.
- "Quanta and Patent Exhaustion: Practical Consequences for Post-Sale Restrictions and Multi-Level Royalty Programs," *Bloomberg Law Reports & Intellectual Property*, (August 11, 2008), co-authored with Adrian P.J. Mollo.
- "LG Electronics versus Quanta: What Does it Mean for Manufacturers?," *IndustryWeek*, (August 4, 2008), co-authored with Adrian P.J. Mollo.
- "Licensing to South Korea into the Future," *Les Nouvelles, Journal of the Licensing Executives Society*, (September 1995).

+ Seminars And Presentations:

- "Obtaining and Contributing IP through Joint Venture," AIPLA Mid-Winter Meeting, (January 28, 2010).
- "Quanta vs LG Electronics," Current State of the Patent Exhaustion Doctrine; an installment of the "Supreme Court Radio Series" presented by MyTechnologyLawyer.com, (July 25, 2008).
- "Patent Law Developments Affecting the Display Industry," Society for Information Display, (May 2008).
- Conducts technology seminars for the United States Patent & Trademark Office (USPTO) in Washington, DC, where he has presented annual tutorials for the patent examiners of the USPTO.

+ Professional Activities:

- Society for Information Display

- **Commissariat Á L 'Energie Atomique (CEA) v. Samsung Electronics Co., Ltd., et al., C.A. No. 03-484 (D. Del.).** Represent CEA regarding CEA's patented design of vertical alignment LCD technology. Brought suit against the six largest vertical alignment LCD manufacturers in the world, at that time, including Sharp Corporation, Tottori Sanyo Electric Co., Ltd., Fujitsu Display Technology Corporation, AU Optronics Corporation, Chi Mei Optoelectronics Corporation (CMO), and Samsung Electronics Co., Ltd. Negotiated license agreements with all defendants. As part of this case, successfully appealed to the Federal Circuit a decision of the district court on the issue of personal jurisdiction against Taiwanese company CMO.
- **LG.Philips LCD Co., Ltd. (LPL) v. Chi Mei Optoelectronics Corp., AU Optronics Corp. et al., C.A. No. 06-726 (D. Del.).** Represent LPL regarding a number of patents directed to various aspects of TFT-LCD products, and also represent LPL in the related suits filed by AU Optronics, AU Optronics Corp. v. LPL et al., C.A. No. 07-137 (W.D. Wis.)(transferred and consolidated with C.A. No. 06-726 (D. Del)) and by Chi Mei, Chi Mei Optoelectronics Corp. v. LPL et al., C.A. No. 07-1 76 (E.D. Tex.)(transferred (D. Del)).
- **Faus Group, Inc. v. Mohawk Industries, US District Court for the Northern District of Georgia, 05-2373- WSD. Faus Group, Inc v. Columbia Flooring Inc., US District Court for the Northern District of Georgia, 06-0218-WSD. Faus Group, Inc. v. Unilin Holding Inc., US District Court for the Northern District of Georgia, 06-0218-WSD.** Building off a successful defense against a preliminary injunction motion filed by Pergo in its home court in 2005, continue to represent Industrias Auxiliaries Faus of Spain and Faus Group, Inc. of Georgia (Faus), leaders in laminate flooring innovation. In 2006 and into 2007, represented Faus in a major patent infringement action against Mohawk Industries, Inc., Columbia Flooring, Inc. and Unilin Flooring, Inc. and its subsidiaries. The suit, which was filed in the Northern District of Georgia, Atlanta Division, charges the defendants with infringing patents relating to Faus's innovative Embossed-in-Register and Joint Guard beveled edge technologies. Also represents Faus in the ITC against Complainant Unilin Flooring, Inc. regarding Unilin's locking technology, and is appealing the ITC's decision in the Court of Appeals for the Federal Circuit.
- **Habasit Belting, Inc. v. Rexnord Industries, Inc. C.A. No. 03-185 JJF (D. Del.).** Represent Plaintiff Habasit in its enforcement of its patents pertaining to radial conveyor belting technology. Immediately after issuance of the patents we brought suit against Habasit's largest competitor so as to prevent Rexnord from establishing a position in the niche industry. Based on the strength of fact and expert discovery the defendant agreed to cease offering their accused product in the United States. After a very successful claim construction decision, the Court granted Habasit's motion for summary judgment of non-infringement. Shortly before trial the court granted defendant's motion to stay while the patents are undergoing reexamination.
- **Scientific Games International, Inc. v. Oberthur Gaming Technologies Corp., C.A. No. 1 :02-CV-3224-TWT (N. Ga.).** Represented Oberthur Gaming when it was sued for a declaratory judgment of invalidity; and when it brought its counterclaims for infringement of its patents reciting printing technology used to print scratch-off lottery tickets.
- **LG.Philips LCD Co., Ltd. (LPL) v. Tatung Co., Tatung Co. of America, and ViewSonic Corp. (Case No. 04-343-JJF, D. Del.).** Represent LPL regarding mechanical technology related to assembly of flat panel display devices and products. This case settled favorably for LPL.

Education

- J.D., Catholic University of America Columbus School of Law, 1995
- M.S., Johns Hopkins University, 1990
- B.S., University of Maryland, 1987

Admitted

- District of Columbia
- Maryland
- Federal Circuit

- Supreme Court
- Registered U.S. Patent Attorney

