

NEWS RELEASES

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Section 337

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Husch Blackwell Obtains Dismissal of Clients in Portable Battery Jump Starter ITC Investigation

Husch Blackwell successfully secured the dismissal of its clients earlier this month in a U.S. International Trade Commission (ITC) investigation involving portable battery jump starter products, where the firm represented multiple respondents accused of patent infringement by The NOCO Company.

The ITC instituted the investigation in early 2021 after NOCO claimed more than 40 respondents were selling for importation, importing, or selling after importation certain portable battery jump starters that allegedly infringed one or both of NOCO's asserted patents. However, in November, NOCO withdrew allegations related to one of the asserted patents, which triggered the dismissal of clients Halo2Cloud, LLC, ZAGG Inc, and Clore Automotive, LLC. Trial against the remaining respondents will conclude this month.

"We were prepared to go to trial," said partner Beau Jackson, who leads Husch Blackwell's Section 337 ITC practice. "During the course of the investigation and co-pending proceedings before the Patent Office, it became clear that our arguments would prevail. The complainant wisely narrowed its allegations, which not only dismissed our clients, but also conserves the resources of the ITC. This is a terrific result."

In addition to Jackson, the Husch Blackwell team included Rudy Telscher, Paul Smelcer, Brendan McDermott, and Kyle Chen.