

08.01 2018

EPISTAR Wins Appeal Against Boston University in CAFC

Hsinchu, Taiwan -July 26, 2018. On July 25, the United States Federal Circuit Court of Appeals ("CAFC") invalidated Boston University' s ' 738 patent and reversed a District of Massachusetts federal court judgment against Epistar Corporation and its two customers.

In its written ruling, the appeals court found in favor of Epistar and its two customers, ruling that the trial judge should have declared the patent invalid and prevented the jury trial. The Court of Appeal agreed with Epistar that all the evidence established without controversy that the claimed invention was not taught in the patent and was impossible to make when the patent issued, rendering it invalid.

The ruling appears to bring to an end a nearly 6-year court battle started by the Boston University. In November 2015, after a 3-week trial, a jury of lay persons rendered a verdict against Epistar finding it willfully infringed the lone patent and awarded the \$9.3 million of damage.

"Epistar respects intellectual property and invests millions of dollars every year developing proprietary original technology solutions. Our products are the fruit of that effort and we take seriously any accusation of infringement. In this case we did not infringe any valid patent and the US court has agreed with us." Epistar chairman Dr. Biing-Jye Lee said, after hearing the news. "We are pleased with the

court' s judgment today. We will keep our commitment to protect our customers and Epistar' s best interests."

Epistar and its two customers were represented Goldstein & Russell of Bethesda Maryland and Vasquez Benisek & Lindgren of Lafayette California.