

CHERIAN_{LLP}

KORULA “SUNNY” CHERIAN

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Practices:

Patent Litigation, Intellectual Property, IP/IT Transactions & Licensing, International Trade Commission (ITC)-Section 337 Litigation, Federal Circuit & Other IP Appeals, Intellectual Property, Trade Secrets Litigation, Complex Commercial Litigation

State Bar Admission:

California

Court Admissions:

United States Supreme Court
U.S. District Court for the Central District of California
U.S. District Court for the Southern District of California
U.S. District Court for the Northern District of California
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Middle District of Tennessee
U.S. District Court for the Eastern District of Texas
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Ninth Circuit

Education:

University of California-Davis, J.D.
George Washington University, MSEE.
University of Mysore, BSEE

Professional Affiliations:

Best Lawyers 2014-2022
IP Stars 2019-2022
Super Lawyers 2004-2022

Mr. Cherian is the Founding Partner of Cherian LLP. He focuses his practice on complex intellectual property litigation and licensing. He has litigated dozens of complex patent cases before the Federal district courts, the Court of Appeals for the Federal Circuit, and the ITC. He has handled numerous cases in many leading patent jurisdictions throughout the U.S.

Mr. Cherian has served as lead counsel in numerous patent trials. His strong background in electrical engineering enables him to work with and master the advanced technologies, at issue in these complex matters, including integrated circuit technologies, software systems, computer electronics, and mechanical devices. Mr. Cherian also assists clients in all aspects of intellectual property licensing.

Prior to his legal career, Mr. Cherian was involved in managing an advanced Research and Development Program in the U.S. Department of Energy. He was the Project Manager for the world's then largest solar electric plant, the IOMWe Solar One Power Plant.

Representative Cases

Chrimar Systems, Inc. v. Foundry Networks, Inc. Represented Brocade Communications (acquired Foundry Networks, Inc.) against Chrimar Systems in the Eastern District of Michigan. The matter involved allegations of patent infringement by Foundry's incorporation of the "Power-Over-Ethernet" industry standard. (Chrimar had also separately sued all the other major players in the router and switch industry, including Cisco Systems and D-Link, and had successfully extracted settlements from each.) Foundry fought to invalidate the asserted claims and after seven years of protracted litigation, we won summary judgement of patent invalidity based upon obviousness of the asserted claim, and the claim was dismissed. Chrimar appealed but the Federal Circuit summarily affirmed the lower case.

Allflex U.S.A., Inc. v. Avid Identification Systems, Inc. U.S. District Court for the Central District of California. Successfully represented a client in the Radio Frequency Identification technology field in defending against five patents. The patent holder paid our client \$6.5 million to settle.

Berkeley Heartlab, Inc. v. The Regents of the University of California. Represented defendant in litigation involving biotech contract and patent licensing litigation; the claim was dismissed on very favorable terms.

Network-1 Security Solutions Inc. v. Cisco Systems, Inc., et al. U.S. District Court for the Eastern District of Texas, Tyler Div. Successfully represented Brocade Communication in a patent case brought by Network One. Case settled with favorable terms during trial.

O2 Micro Litigation. Represented O2 Micro in multiple patent infringement actions against several defendants in the Eastern District of Texas, Northern District of California and the ITC.

Micron Semiconductor, Inc. v. Hyundai, et al. Represented a respondent in a patent infringement action involving anisotropic plasma etching of semiconductors. The trial spanned four weeks, during which officials from many Silicon Valley companies appeared to testify in the Hyundai's case-in-chief. The matter was settled prior to a written decision from the administrative law judge.

ASM America, Inc., and ASM International N.V. v. Applied Materials, Inc. Represented plaintiffs in a multi-patent infringement action regarding semiconductors in the Eastern District of Texas. Case settled on favorable terms.

Intel Corporation v. Hyundai Electronic Industries Co. Ltd. and Hyundai Electronics America, Inc. Represented defendants in a patent infringement action relating to semiconductor manufacturing technology.

Alcatel v. Foundry Networks, Inc. U.S. District Court for the District of Delaware. Represented Foundry Networks, Inc. in a counterclaim against Alcatel asserting a patent against Network VOIP platforms. Case settled on favorable terms.

Lucent Technologies, Inc. v. Foundry Networks, Inc. U.S. District Court for the District of Delaware and *Foundry Networks, Inc. v. Lucent Technologies, Inc.* U.S. District Court for the Eastern District of Texas. Represented Foundry Networks, Inc. in a four patent litigation matter involving networking patents. Represented Foundry Networks, Inc. in a separate matter against Lucent Technologies in Texas asserting a patent against Lucent VOIP platforms. Lucent agreed to settle the matter on highly favorable terms to Foundry.

Tinkers & Chance v. LeapFrog Enterprises, Inc. U.S. District Court for the Eastern District of Texas. Represented defendants in a suit for patent infringement related to electronic educational toys. Case settled on favorable terms.

BridgeLux, Inc. v. Cree, Inc. and Trustees U.S. District Court for the Eastern District of Texas. Successfully represented BridgeLux, Inc., a leading Silicon Valley high power light emitting diode (LED) company, in a series of patent infringement cases against competitor Cree, Inc., involving five LED patents. Obtained favorable confidential settlement as a result of successful strategy involving declaratory judgment actions and *Markman* claim construction of patents-in-suit.