

TRAILBLAZERS

LITIGATION

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What was the genesis of the idea/path that has made you a trailblazer?

It was incredible to have the opportunity to represent Centripetal Networks in their dispute with Cisco Networks, which both produced the largest patent judgement ever and was the nation's first federal trial ever conducted on Zoom.

The court found that Cisco Systems infringed four Centripetal patents, and it awarded Centripetal \$1.9 billion in past damages and pre-judgment interest and

additional running royalties, guaranteeing Centripetal a minimum of \$2.65 billion and a maximum of \$3.25 billion. This ruling came after an eight-week bench trial conducted on Zoom, which was a new and interesting experience. It's not often that you have to reinvent the wheel in Federal Court trials, but that's what we did. It felt like everything was uncharted territory—the first time to do an opening statement on video, the first time to cross every witness from a different state, and the first time to wear tennis shoes every day at trial.

What sort of change has resulted from the concept?

The future of our client's company was literally at stake, and it's so important to protect rights that help emerging companies make big innovations. When Centripetal provided Cisco with its secret sauce under an NDA, it never thought its proprietary technology would end up in Cisco's products a year later. As Centripetal's CEO Steven Rogers said, "Without the protection of a patent an emerging company could never take on big important challenges like these."

What bearing will this have on the future?

I hope it will help give smaller companies confidence that it is worthwhile for them to pursue truly great innovations. As for virtual litigation, that will decline post pandemic but will likely remain as an option for certain types of proceedings.