

# ***LegalMetric***

## **LegalMetric Attorney Report David H. Pfeffer in Patent Cases December 2015**

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The information contained in this report is obtained from the official docket records of the federal courts. No attempt has been made to correct that data. For example, cases may be misclassified in the official docket records. In addition, cases are classified only by the primary cause of action. Cases having multiple causes of action are analyzed only under the primary cause of action identified on the official court docket.

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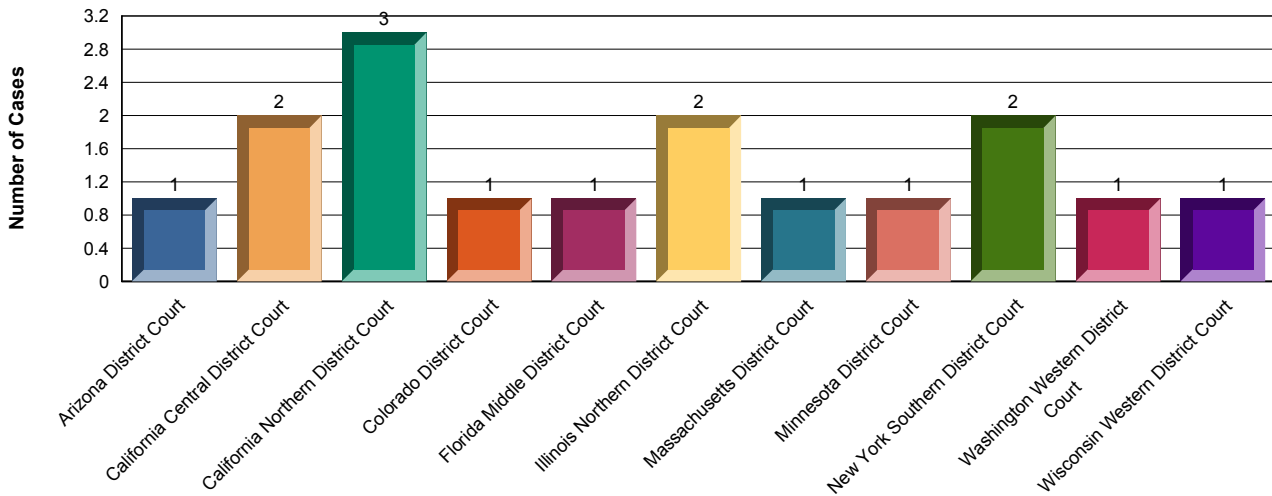
**Overview:**

The dockets of patent cases nationwide were examined to identify cases in which David H. Pfeffer represented one or more parties. There were 16 such cases found. The report breaks down this attorney's cases by district, by year, and by win rate. There is also a section identifying the parties represented by this attorney, and the party type for each case.

**Litigation by District:**

The number of cases by district for this attorney is shown in the chart below. Note that in the table following the chart, the judges are also listed. These judges are those currently assigned to the case in which the attorney appeared. This is usually, but not always, the judge before which the attorney appeared (if the case has been reassigned after the attorney withdrew, the attorney may not have appeared before that particular judge) .

**Distribution of Cases, by Court**

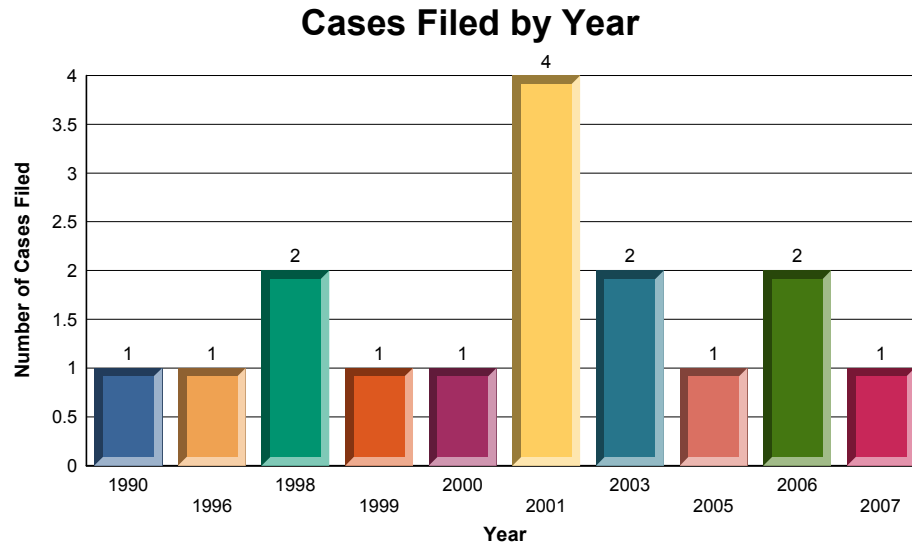


		No. of Cases
<b>Arizona District Court</b>	<b>Total</b>	1
	<b>Murguia</b>	1
<b>California Central District Court</b>	<b>Total</b>	2
	<b>Manella</b>	2
<b>California Northern District Court</b>	<b>Total</b>	3
	<b>White</b>	2
	<b>Whyte</b>	1
<b>Colorado District Court</b>	<b>Total</b>	1
	<b>Nottingham</b>	1
<b>Florida Middle District Court</b>	<b>Total</b>	1
	<b>Antoon</b>	1
<b>Illinois Northern District Court</b>	<b>Total</b>	2
	<b>Gettleman</b>	1

		No. of Cases
Illinois Northern District Court	Kendall	1
Massachusetts District Court	Total	1
	Stearns	1
Minnesota District Court	Total	1
	Rosenbaum	1
New York Southern District Court	Total	2
	Holwell	1
	Swain	1
Washington Western District Court	Total	1
	Dwyer	1
Wisconsin Western District Court	Total	1
	Shabaz	1

**Litigation by Year:**

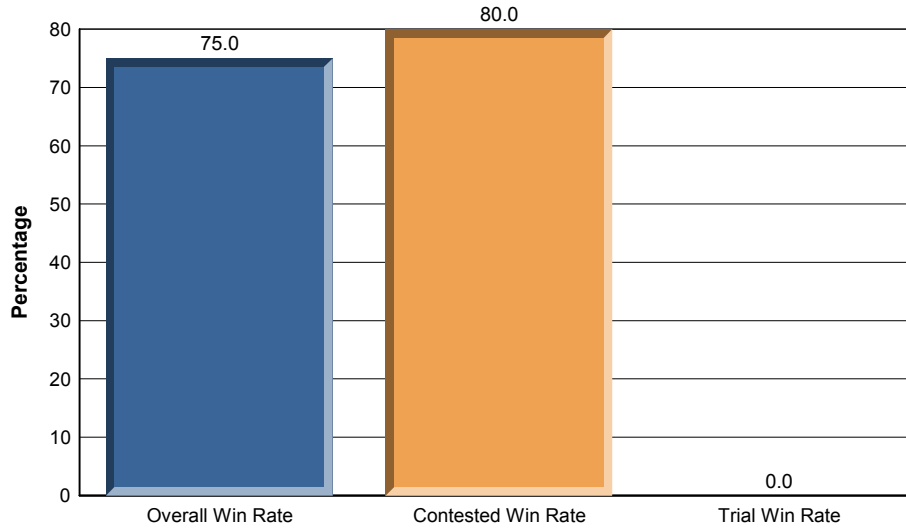
The number of cases for this attorney, by year of filing, are shown below.



**Attorney Win Rates:**

The overall, contested and trial win rates for this attorney are shown in the chart below. Overall win rates include all cases in which a judgment in favor of a party is entered (including consent and default judgments). Contested win rates do NOT include consent and default judgments. Trial win rates include both bench and jury trials.

**Attorney Win Rates**



**Attorney Win Rates by District:**

The overall, contested and trial win rates for this attorney by district are shown in the table below.

	Overall Win Rate	Contested Win Rate	Trial Win Rate
<b>Total</b>	75.0	80.0	0.0
<b>Arizona District Court</b>	0.0	0.0	0.0
<b>California Central District Court</b>	50.0		
<b>California Northern District Court</b>	100.0	100.0	
<b>Colorado District Court</b>			
<b>Florida Middle District Court</b>			
<b>Illinois Northern District Court</b>	100.0	100.0	
<b>Massachusetts District Court</b>			
<b>Minnesota District Court</b>	100.0	100.0	
<b>New York Southern District Court</b>	100.0	100.0	
<b>Washington Western District Court</b>	100.0		
<b>Wisconsin Western District Court</b>			

**Number of Judgments by District:**

The number of overall judgments, contested judgments and trial judgments for this attorney by district are shown in the table below.

	<b>Overall</b>	<b>Contested</b>	<b>Trial</b>
<b>Total</b>	8	5	1
<b>Arizona District Court</b>	1	1	1
<b>California Central District Court</b>	2		
<b>California Northern District Court</b>	1	1	
<b>Colorado District Court</b>			
<b>Florida Middle District Court</b>			
<b>Illinois Northern District Court</b>	1	1	
<b>Massachusetts District Court</b>			
<b>Minnesota District Court</b>	1	1	
<b>New York Southern District Court</b>	1	1	
<b>Washington Western District Court</b>	1		
<b>Wisconsin Western District Court</b>			

**Supporting Data:**

The supporting data for this report is shown below, broken out by case outcome and and court. Cases with no apparent outcome are shown first.

**Consent Judgment****California Central District Court****Winner:****Opposing Party**Case NameCase NumberDamages/AwardsAppeal Outcome

Automated Pkg Tech v.  
Tama Plastic Ind, et al

2:01cv06897

**Winner:****Party Represented by This Attorney**Case NameCase NumberDamages/AwardsAppeal Outcome

Tama Plastic Ind v. M & A  
Karatzis S A, et al

2:01cv02332

# Default Judgment

## Washington Western District Court

**Winner:**                      **Party Represented by This Attorney**

<u>Case Name</u>	<u>Case Number</u>	<u>Damages/Awards</u>	<u>Appeal Outcome</u>
WL Gore & Associates v. Ross Bagpipe Reeds, et al	2:90cv00408		

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# Jury Verdict

## Arizona District Court

**Winner:**

**Opposing Party**

Case Name

Case Number

Damages/Awards

Appeal Outcome

Bard Peripheral Vasc, et al v. WL Gore & Associates, et al

2:03cv00597

Affirmed, Vacated, Remanded, Dismissed

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# Other Settlement

## California Northern District Court

Winner: None Found

<u>Case Name</u>	<u>Case Number</u>	<u>Damages/Awards</u>	<u>Appeal Outcome</u>
Medtronic Inc. et al v. W.L. Gore & Associates, Inc.	3:06cv04455		

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# Summary Judgment

## California Northern District Court

**Winner:** **Party Represented by This Attorney**

<u>Case Name</u>	<u>Case Number</u>	<u>Damages/Awards</u>	<u>Appeal Outcome</u>
Edwards Lifesciences LLC et al v. Medtronic, Inc. et al	3:03cv03817		Affirmed

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## Illinois Northern District Court

**Winner:** **Party Represented by This Attorney**

<u>Case Name</u>	<u>Case Number</u>	<u>Damages/Awards</u>	<u>Appeal Outcome</u>
Ledergerber Medical Innovations, LLC et al v. W. L. Gore & Associates, Inc.	1:07cv01593		Affirmed

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## Minnesota District Court

**Winner:** **Party Represented by This Attorney**

<u>Case Name</u>	<u>Case Number</u>	<u>Damages/Awards</u>	<u>Appeal Outcome</u>
Andersen Corporation v. Pella Corporation et al	0:05cv00824		Dismissed

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## New York Southern District Court

**Winner:** **Party Represented by This Attorney**

<u>Case Name</u>	<u>Case Number</u>	<u>Damages/Awards</u>	<u>Appeal Outcome</u>
Dynacore Holdings, et al v. U.S. Philips Corp., et al	1:01cv05012		Affirmed

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# Transfer

## Florida Middle District Court

**Winner:**

**None Found**

Case Name

Case Number

Damages/Awards

Appeal Outcome

Automated Packaging v.  
Tama Plastic, et al

6:01cv00494

# Voluntary Dismissal-Joint

## California Northern District Court

**Winner: None Found**

<u>Case Name</u>	<u>Case Number</u>	<u>Damages/Awards</u>	<u>Appeal Outcome</u>
Fujitsu Microelectro v. Samsung Electronics	5:98cv20284		

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## Colorado District Court

**Winner: None Found**

<u>Case Name</u>	<u>Case Number</u>	<u>Damages/Awards</u>	<u>Appeal Outcome</u>
Kelly v. WL Gore Assoc, et al	1:00cv01691		

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## Illinois Northern District Court

**Winner: None Found**

<u>Case Name</u>	<u>Case Number</u>	<u>Damages/Awards</u>	<u>Appeal Outcome</u>
Microchip Tech Inc v. Chamberlain Grp Inc, et al	1:98cv06138		

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## Massachusetts District Court

**Winner: None Found**

<u>Case Name</u>	<u>Case Number</u>	<u>Damages/Awards</u>	<u>Appeal Outcome</u>
Mileti v. Roadway Safety	1:96cv12158		

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## New York Southern District Court

**Winner: None Found**

<u>Case Name</u>	<u>Case Number</u>	<u>Damages/Awards</u>	<u>Appeal Outcome</u>
Laboratories Perouse S.A.S., v. W.L. Gore & Associates, Inc.	1:06cv05276		

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## Wisconsin Western District Court

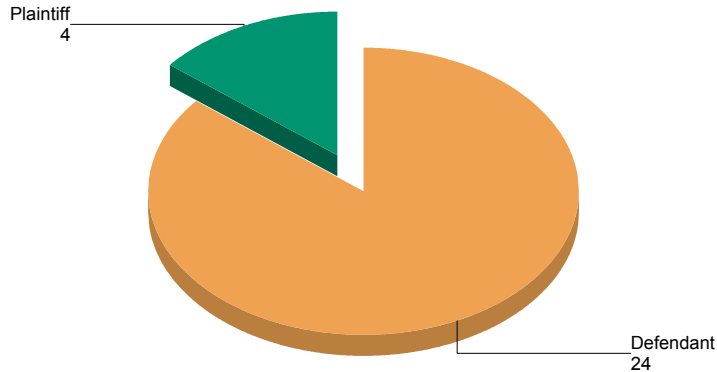
**Winner: None Found**

<u>Case Name</u>	<u>Case Number</u>	<u>Damages/Awards</u>	<u>Appeal Outcome</u>
ALS ENTERPRISES, INC. v. WHITEWATER OUTDOORS, INC.	3:99cv00700		

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**Parties Represented-Plaintiff and Defendant:**

The number of plaintiffs and defendants represented by this attorney in these cases is shown below . Note that this includes related parties such as XYZ Inc. and XYZ Ltd. or even parties with minor differences in spelling (ABC, Inc. and ABC Inc.) as distinct parties.

**Plaintiffs and Defendants Represented****Parties Represented-All Party Types:**

The parties represented by this attorney are shown below (broken down by party type). Parties with no party type identified in the dockets are lumped together and shown first.

		Total
<b>Counter Claimant</b>	<b>Total</b>	11
	<b>W.L. Gore and Associates, Inc.</b>	3
	<b>W. L. Gore &amp; Associates, Inc.</b>	2
	<b>Fujitsu Computer Products of America, Inc.</b>	1
	<b>Fujitsu Microelectronics America, Inc.</b>	1
	<b>Fujitsu PC Corporation</b>	1
	<b>Roadway Safety Service, Inc.</b>	1
	<b>W. L. Gore &amp; Associates Incorporated</b>	1
	<b>W.L. Gore and Associates Incorporated</b>	1
<b>Counter Defendant</b>	<b>Total</b>	1
	<b>Tama Plastic Industry</b>	1
<b>Defendant</b>	<b>Total</b>	24
	<b>W.L. Gore &amp; Associates, Inc.</b>	6
	<b>W. L. Gore &amp; Associates, Inc.</b>	3
	<b>W.L. Gore and Associates, Inc.</b>	3
	<b>Tama Plastic Industry</b>	2
		13

		<b>Total</b>
<b>Defendant</b>	<b>Fujitsu America, Inc.</b>	1
	<b>Fujitsu Computer Products of America, Inc.</b>	1
	<b>Fujitsu Microelectronics America, Inc.</b>	1
	<b>Fujitsu PC Corporation</b>	1
	<b>Roadway Safety Service, Inc.</b>	1
	<b>Tamanet (U.S.A.), Inc.</b>	1
	<b>Tamanet (USA) Inc</b>	1
	<b>W. L. Gore &amp; Associates Incorporated</b>	1
	<b>W.L. Gore &amp; Associates</b>	1
<b>W.L. Gore and Associates Incorporated</b>	1	
<b>Plaintiff</b>	<b>Total</b>	4
	<b>Fujitsu Microelectronics, Inc.</b>	1
	<b>Microchip Technology Inc.</b>	1
	<b>Tama Plastic Industry</b>	1
	<b>WL Gore &amp; Associates Inc</b>	1

<u>Court</u>	<u>Case Number</u>	<u>Party Name</u>	<u>Party Type</u>	<u>Firm Name</u>
azd	2:03cv00597	W.L. Gore and Associates, Inc.	Counter Claimant	Morgan & Finnegan
azd	2:03cv00597	W.L. Gore and Associates, Inc.	Counter Claimant	Morgan & Finnegan
azd	2:03cv00597	W.L. Gore and Associates, Inc.	Counter Claimant	Locke Lord Bissell & Liddell LLP
azd	2:03cv00597	W.L. Gore and Associates, Inc.	Defendant	Morgan & Finnegan
azd	2:03cv00597	W.L. Gore and Associates, Inc.	Defendant	Morgan & Finnegan
azd	2:03cv00597	W.L. Gore and Associates, Inc.	Defendant	Locke Lord Bissell & Liddell LLP
azd	2:03cv00597	W.L. Gore and Associates Incorporated	Counter Claimant	Locke Lord Bissell & Liddell LLP
azd	2:03cv00597	W.L. Gore and Associates Incorporated	Defendant	Locke Lord Bissell & Liddell LLP
azd	2:03cv00597	W. L. Gore & Associates Incorporated	Counter Claimant	Locke Lord Bissell & Liddell LLP
azd	2:03cv00597	W. L. Gore & Associates Incorporated	Defendant	Locke Lord Bissell & Liddell LLP
cacd	2:01cv02332	Tama Plastic Industry	Counter Defendant	Morgan & Finnegan
cacd	2:01cv02332	Tama Plastic Industry	Plaintiff	Morgan & Finnegan
cacd	2:01cv06897	Tama Plastic Industry	Defendant	Morgan & Finnegan
cacd	2:01cv06897	Tamanet (USA) Inc	Defendant	Morgan & Finnegan
cand	3:03cv03817	W.L. Gore & Associates, Inc.	Defendant	Morgan & Finnegan, LLP
cand	3:03cv03817	W.L. Gore & Associates, Inc.	Defendant	Locke Lord Bissell & Liddell, LLP
cand	3:06cv04455	W.L. Gore & Associates, Inc.	Defendant	Morgan & Finnegan, LLP
cand	3:06cv04455	W.L. Gore & Associates, Inc.	Defendant	Locke Lord Bissell & Liddell, LLP
cand	5:98cv20284	Fujitsu Microelectronics, Inc.	Plaintiff	Locke Lord Bissell & Liddell, LLP

cod	1:00cv01691	W.L. Gore & Associates	Defendant	Morgan & Finnegan, LLP
flmd	6:01cv00494	Tama Plastic Industry	Defendant	Morgan & Finnegan, LLP
flmd	6:01cv00494	Tamanet (U.S.A.), Inc.	Defendant	Morgan & Finnegan, LLP
ilnd	1:07cv01593	W. L. Gore & Associates, Inc.	Defendant	Morgan & Finnegan
ilnd	1:98cv06138	Microchip Technology Inc.	Plaintiff	Morgan & Finnegan
mad	1:96cv12158	Roadway Safety Service, Inc.	Counter Claimant	Morgan & Finnegan, LLP
mad	1:96cv12158	Roadway Safety Service, Inc.	Defendant	Morgan & Finnegan, LLP
mnd	0:05cv00824	W. L. Gore & Associates, Inc.	Defendant	Morgan & Finnegan
mnd	0:05cv00824	W. L. Gore & Associates, Inc.	Defendant	Morgan & Finnegan
mnd	0:05cv00824	W. L. Gore & Associates, Inc.	Counter Claimant	Morgan & Finnegan
mnd	0:05cv00824	W. L. Gore & Associates, Inc.	Counter Claimant	Morgan & Finnegan
nysd	1:01cv05012	Fujitsu America, Inc.	Defendant	Morgan & Finnegan, LLP
nysd	1:01cv05012	Fujitsu Computer Products of America, Inc.	Counter Claimant	Morgan & Finnegan, LLP
nysd	1:01cv05012	Fujitsu Computer Products of America, Inc.	Defendant	Morgan & Finnegan, LLP
nysd	1:01cv05012	Fujitsu Microelectronics America, Inc.	Counter Claimant	Morgan & Finnegan, LLP
nysd	1:01cv05012	Fujitsu Microelectronics America, Inc.	Defendant	Morgan & Finnegan, LLP
nysd	1:01cv05012	Fujitsu PC Corporation	Counter Claimant	Morgan & Finnegan, LLP
nysd	1:01cv05012	Fujitsu PC Corporation	Defendant	Morgan & Finnegan, LLP
nysd	1:06cv05276	W.L. Gore & Associates, Inc.	Defendant	Morgan & Finnegan, L.L.P.
wawd	2:90cv00408	WL Gore & Associates Inc	Plaintiff	Morgan & Finnegan
wiwd	3:99cv00700	W.I. Gore & Associates, Inc.	Defendant	Morgan & Finnegan, LLP