How We Secured $191M Damages for an NPE Against Samsung

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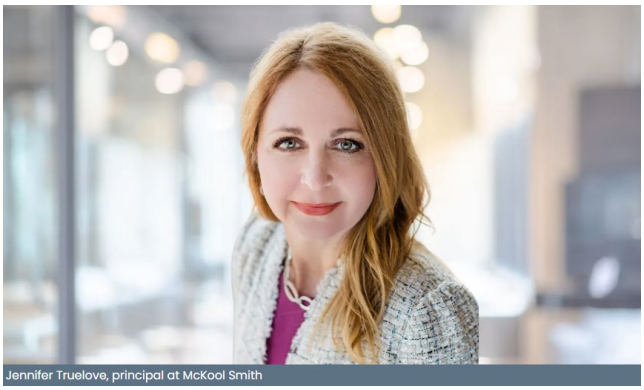

Jennifer Truelove, principal at McKool Smith

A co-counsel victory for an owner of OLED display tech patents could set a precedent for others to "expose Samsung" for "leveraging others' foundational technology", a member of the trial team tells WIPR.

Korean electronics giant Samsung was recently ordered to pay a small UK firm $191.4 million in damages for infringing key screen technology display patents.

Following a five-day trial before Judge Rodney Gilstrap in the US District Court for the Eastern District of Texas, a jury found that Samsung wilfully infringed two of Pictiva's patents related to novel and fundamental aspects of OLED display technologies.

US law firms McKool Smith and Irell & Manella secured the win for Dublin-headquartered Pictiva Displays International, which acquired OSRAM's OLED portfolio of more than 1,000 patents in 2020.

OSRAM was a pioneer in the field of OLEDs, embarking on large-scale research in the early 1990s, establishing state-of-the-art OLED design and manufacturing operations, and selling OLED display panels.

Pictiva now licenses these inventions for use in products ranging from watches and smartphones to larger television displays in the US, Europe and China.

This win continues a series of successful verdicts that McKool Smith has recently secured against Samsung, including a $118 million patent infringement verdict on behalf of Netlist (with Irell & Manella), and a $192 million patent infringement verdict on behalf of Mojo Mobility.

Led by Jason Sheasby, a partner at Irell & Manella, the trial team also included Jennifer Truelove, a principal at McKool Smith. She told ***WIPR*** more about how the team won for Pictiva.

WIPR: How did you come to represent Pictiva Displays?

JT: I began working with Pictiva Displays through my long-standing collaboration with Jason Sheasby at Irell & Manella. Over the years, Jason and I have tried several cases together in the Eastern District of Texas, earning successful verdicts for our clients. That experience built a strong foundation of trust and teamwork that continues to guide my work with Pictiva today.

What were your / Pictiva's key arguments, and Samsung's defence?

Pictiva collaborated with OSRAM, leveraging OSRAM's foundational technology in the OLED space, which gave us a compelling innovation story to present. Samsung, however, relied heavily on prior art arguments in an attempt to diminish the significance of that collaboration and undercut the originality of our position.

To what do you owe to this victory for Pictiva?

The partnership between the McKool Smith and Irell & Manella teams, along with our shared approach to trial strategy, was key to our success. We walked into court knowing the case inside and out and fully aligned on how to connect with the jury and tell our client's story.

Another significant aspect of our success was the jury. In our experience, East Texas juries get to the right answer. They take their role seriously, listen carefully to the evidence, and have a strong understanding of the importance of property rights.

They recognise that innovation deserves protection, and that inventors—even those who are non-practising entities—are entitled to be fairly compensated when their patents are used by others.

When presented with a clear and reasonable damages case, these juries are willing to award a fair royalty that reflects the true value of the invention.

WIPR: In business terms, how does this outcome affect both parties?

JT: With a favourable verdict, Pictiva gains commercial credibility. The ruling serves as public validation that its technology contributes meaningfully to industry products, bolstering its standing among investors and partners.

The verdict exposes Samsung to a perception that it has been leveraging others' foundational technology rather than innovating independently.

The damages themselves may be manageable, but the precedent is not. The verdict could embolden other IP holders to bring similar claims, multiplying Samsung's exposure.

The case is Pictiva Displays International v Samsung Electronics Co, Samsung Electronics America, case number 2:23-cv-495, in the US District Court for the Eastern District of Texas.

The two patents at issue were US Patents 8,314,547 and 11,828,425.