

Texas Jury Finds AT&T Didn't Infringe Telecom Patent

By Elliot Weld

Law360 (September 12, 2025, 5:25 PM EDT) -- A Texas federal jury has found that Irish company Daingean Technologies Ltd. hadn't proven that AT&T infringed a telecommunications patent when it launched its 5G phone service networks.

A jury on Thursday answered "no" to an initial question on the verdict sheet asking if Daingean had proven infringement of its patent. As a result, the jury did not have to answer whether the patent had been proven invalid or assess any monetary damages. According to the docket, the trial began on Sept. 5.

Daingean sued AT&T in 2023 saying it infringed a patent titled "Communications System." Ericsson and Nokia later intervened in the case, saying they were impacted since they provided AT&T with equipment that's partly at issue. Ericsson was listed on the verdict form as an intervenor, while Nokia was not mentioned on the jury form.

AT&T countersued, seeking declarations of noninfringement from the court and setting up a lengthy battle of motion practice over summary judgment on multiple issues. Daingean at first asserted infringement claims of six patents, but only a lone claim related to one patent made it to trial. The claim concerned a base station for a "communication system that includes a plurality of said base stations and mobile subscriber stations located respectively in areas corresponding to the plurality of said base stations."

Earlier this month, U.S. District Judge Rodney Gilstrap ruled that Nokia could use its argument that it held a license from Mitsubishi, the surviving patent's former owner, as a defense at trial. At the same time, the judge denied a summary judgment motion from the telecom companies over what they said was Daingean's inability to prove infringement without relying on Apple products, for which they have a license.

The telecom companies argued it was impossible for Daingean to show that infringement occurred while discounting the use of Apple products because it was statistically certain an Apple product would be present in a given area.

Judge Gilstrap adopted a magistrate judge's recommendation to deny a motion for summary judgment of noninfringement just before trial began. According to the recommendation, the telecom companies argued that a Daingean expert had made descriptions of the technology covered in the patent that were different from limiting language found in the case's surviving claim.

Daingean argued that the telecom companies were looking to set requirements not present in the claim, and the magistrate judge agreed, saying the companies were trying to import at least one word into the claim that wasn't actually present.

Counsel for Daingean, AT&T, Ericsson and Nokia did not immediately respond to requests for comment Friday.

The patent-in-suit is U.S. Patent No. 8,576,803.

Daingean is represented by Demetrios Anaipakos, Amir H. Alavi and Michael McBride of Alavi Anaipakos PLLC, R. Allan Bullwinkel, Michael Heim, Eric Enger, Alden Harris and Blaine Larson of Heim Payne & Chorush LLP, and Andrea L. Fair of Miller Fair Henry PLLC.

AT&T and the intervenors are represented by Nicholas Mathews, Warren Lipschitz, Eric Hansen, Alexander J. Chern, Joshua Budwin, Matthew T. Cameron, Samuel F. Baxter and Jennifer L. Truelove of McKool Smith, Deron R. Dacus of The Dacus Firm PC, and Melissa R. Smith of Gillam & Smith LLP.

The case is Daingean Technologies Ltd. v. AT&T Inc. et al., case number 2:23-cv-00123, in the U.S. District Court for the Eastern District of Texas, Marshall Division.

--Editing by Melissa Treolo.