

# Court tosses \$368 mn patent case verdict against Apple

September 16 2014

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The Apple logo seen at the Moscone West center on June 2, 2014 in San Francisco, California

A federal appeals court on Tuesday tossed out a \$368 million verdict against Apple, ruling that jurors were given evidence that may have skewed the sum.

"We vacate the jury's damages award and remand for further proceedings consistent with this opinion," judges in a US appellate court

said in a detailed written ruling.

Patent licensing firm VirnetX and Science Applications International Corporation filed suit four years ago in US District Court in Texas, accusing the iPhone, iPad, iPod and Macintosh computer maker of infringing on patented technology in secure video chat capabilities built into a FaceTime feature.

Computer networking gear titan Cisco, maker of a widely used [virtual private network](#) (VPN) software, was also named as a defendant in the suit.

Jurors concluded that VirnetX patents had been infringed on and calculated \$368.16 million in damages, according to court documents.

Appeals court judges backed the finding of infringement, but said the lower court wrongly allowed expert testimony that may have influenced the [damages award](#).

"While we are disappointed that the federal circuit has vacated portions of the judgment for further proceedings, we are bolstered by the fact that the patents were again found valid and that it was confirmed that Apple's VPN on Demand functionality infringes the VirnetX patents," VirnetX chief executive Kendall Larsen said in a released statement.

"We look forward to readdressing the FaceTime infringement and damages issues as soon as possible."

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Citation: Court tosses \$368 mn patent case verdict against Apple (2014, September 16) retrieved 28 April 2024 from <https://phys.org/news/2014-09-court-tosses-mn-patent-case.html>

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