

Netgear Gets \$135M In TP-Link IP Deal

Law360 (September 12, 2024, 6:08 PM EDT) -- Netgear Inc. has received \$135 million from TP-Link Systems Inc. as part of a settlement of the companies' patent and contract litigation over Wi-Fi routers in the U.S. International Trade Commission and California federal courts.

In a U.S. Securities and Exchange Commission filing on Wednesday, California-based Netgear said it had obtained a \$135 million payment under a settlement with TP-Link, which is dually based in Singapore and California. The parties agreed that the pending disputes between them would either be dismissed or not pursued any further, the filing noted.

Attorneys and representatives for Netgear and TP-Link did not immediately respond to requests seeking comment on Thursday.

The filing came days after the ITC stayed all deadlines in Netgear's patent infringement suit against TP-Link so that the companies could finalize a deal.

In the ITC case, Administrative Law Judge Doris Johnson Hines in May found that TP-Link violated Section 337 of the Tariff Act of 1930 by importing Wi-Fi routers, mesh Wi-Fi network devices and related hardware, and software that infringed claims in two of Netgear's patents.

The judge also determined that TP-Link's devices infringed another one of Netgear's patents, but declined to find a Section 337 violation there, saying the latter company hadn't established a domestic industry for products covered by that patent.

The parties have several other suits that they have asked to be dismissed or that were tossed this week as part of the settlement.

One suit lodged by Netgear in April 2023 in California federal court alleged infringement by TP-Link Technologies Co. Ltd. and other company affiliates of the same six patents asserted in the ITC case.

And TP-Link USA Corp. in May hit Netgear with a federal suit in California and at the ITC, accusing it of infringing five patents with its Wi-Fi routers. Two other TP-Link affiliates also filed suit in June in California, alleging that Netgear breached its contractual obligation to grant licenses to one patent at issue in Netgear's ITC and California litigation on reasonable and nondiscriminatory terms by pursuing the ITC exclusion order against TP-Link's products without first providing a licensing proposal.

In Netgear's suits in California and at the ITC, the patents-at-issue are U.S. Patent Nos. 7,936,714; 10,681,698; 10,278,179; 9,468,025; 10,327,242; and 10,356,681.

In TP-Link's patent suits in California and at the ITC, the patents-at-issue are U.S. Patent Nos. 7,636,550; 8,176,148; 8,229,357; 7,672,268; and 8,774,008.

Netgear is represented by **Kevin C. Wheeler, Bert C. Reiser, Susan Y. Tull, Patricia Young, Ben M. Alred, Blake R. Davis, Allison Harms, Daniel R. McNeely, Charles H. Sanders** and **Thomas Yeh** of **Latham & Watkins LLP**.

TP-Link is represented by Paul F. Brinkman, Greg Polins, Bao Nguyen, Todd M. Friedman, Alex Henriques, Gregory S. Arovas, James E. Marina, Tasha Gerasimow, Brandon Hugh Brown, David Rokach, Edward C. Donovan, Kasdin Miller Mitchell and Stephen DeSalvo of Kirkland & Ellis LLP, and Lisa M. Kattan, Thomas C. Martin and C. Stephen Maule of Baker Botts LLP.

Netgear's ITC case is In the Matter of Certain Wi-Fi Routers, Wi-Fi Devices, Mesh Wi-Fi Network Devices, and Hardware and Software Components Thereof, investigation number 337-TA-1361, in the U.S. International Trade Commission.

Netgear's district court suit is Netgear Inc. v. TP-Link Technologies Co. Ltd. et al., case number 2:23-cv-02540, in the U.S. District Court for the Central District of California.

TP-Link's ITC case is In the Matter of Certain Wi-Fi Access Points, Routers, Range Extenders, Controllers and Components Thereof, case number 337-TA-1405, in the U.S. International Trade Commission.

TP-Link's district court suits are TP-Link USA Corp. v. Netgear Inc., case number 3:24-cv-02754, and TP-Link Corporation PTE Ltd. et al. v. Netgear Inc., case number 5:24-cv-03478, in the U.S. District Court for the Northern District of California.

--Editing by Law360 staff.