



Samsung told to pay \$192 million to wireless charging start-up

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Samsung Electronics Co owes \$192 million in damages to Mojo Mobility Inc after a Texas federal jury found it infringed five patents relating to wireless charging technology. It is the second-highest verdict of 2024's third quarter so far.

The verdict from the US District Court for the Eastern District of Texas was a vindication for Mojo, a San Jose tech start-up, that had been embroiled in a 10-year-plus licensing negotiation with Samsung over the patents. In the lead-up to the trial, Mojo also overcame 16 of the 18 inter-partes review petitions that Samsung filed at the Patent Trial and Appeal Board.

While Mojo asked for damages of "a little over \$303 million" as a running royalty, Samsung proposed \$13 million as a one-time lump sum payment. "The jury decided on \$192 million and they checked the lump sum box – so we did not get everything we asked for," says Steven Pollinger, an attorney at McKool Smith and lead counsel for Mojo. "But overall, we are very pleased with the verdict."

Since the third quarter began in July, Mojo's \$192 million award is only overshadowed by MR Technologies v Western Digital Technologies Inc, where the patent holder won \$262 million on 26 July.

The case

Mojo was founded in 2005 by Afshin Partovi, an engineer who previously worked at Bell Labs and developed a portfolio of more than 50 patents related to wireless charging in small devices like smartphones and large devices like electric vehicles.

"Samsung showed significant interest in learning about Mojo Mobility's technology and the company shared a lot information with them over the years," says Pollinger. "There were multiple meetings and over 350 emails exchanged between the companies but at the end of all the discussions, Samsung said, 'we can't pay you'."

The complaint drew attention to these interactions, suggesting that "Samsung requested and received multiple Mojo Mobility prototypes".

Mojo also claimed in the complaint that Samsung asked Partovi and employees to travel "several times" to its headquarters in Korea to present its wireless charging technology and prototypes to Samsung's mobile device engineers and executives. Mojo expected it would be compensated.

Instead, Samsung suggested that Mojo work with its third-party suppliers on an accelerated programme and seek payment from them "at no charge to Samsung", according to the complaint.

Following the breakdown of discussions between Mojo and Samsung over the integration of its patented technology, Mojo filed a lawsuit in October 2022. It initially asserted seven patents. They were US patents 7,948,208 and 11,292,349, in addition to the five patents that the trial focused on: 9,577,440; 11,201,500; 11,316,371; 11,462,942; and 11,342,777. The jury determined that the asserted claims in those five assets were not invalid and infringed.

The accused products include a variety of Samsung models from 2016 to present: Galaxy smartphones, wireless chargers, wearables, earbuds, pen chargers and stylus pens.

Samsung denied infringement and argued that the patents were invalid due to lack of an adequate written description and obviousness by prior art.

Samsung fights tooth and nail

In June 2023, Samsung filed 18 IPR petitions. The PTAB ultimately denied institution in 16 cases.

“It was a lot of work for us to file the preliminary responses to oppose institution and we had just a three-month window,” says Pollinger. “Having to respond to 18 IPR petitions in three months is a massive undertaking.”

However, Samsung had a few more tricks up its sleeve at trial.

Samsung paid for a fact witness, a former consultant and agent of Mojo. “That was a risky move, and I don’t think he came across well to the jury,” explains Pollinger. “He came across as someone willing to testify for whoever was willing to pay him and disloyal to Mojo, whom he had three contracts with over the years.”

Pollinger says the trial required adapting to Samsung’s tactics. “Samsung made certain arguments in its opening statement, asking what exactly did Partovi invent and why Mojo doesn’t have any products on the market,” he says. “We had Partovi answer those questions to rebut Samsung.”

Mojo also worked with a Berkley Research Group expert to survey more than 2,000 participants to assess the economic value of the patent infringement to Samsung’s business. Then, Mojo enlisted a business economics expert to use that as input, along with other confidential data between the companies, to arrive at what the reasonable royalty should be.

Samsung did not respond to requests for comment.

“Samsung did everything possible to fight this lawsuit, but we had a strong infringement case and a very good story to explain to the jury,” Pollinger says.