

MVP: McKool Smith's Jennifer Truelove

By Britain Eakin

Law360 (October 25, 2024, 4:26 PM EDT) -- McKool Smith patent trial attorney Jennifer Truelove helped Netlist secure \$445 million in patent infringement damages awards, and also assisted in getting a \$192 million verdict against Samsung for Mojo Mobility and a \$142 million award for another company, earning her a spot as one of the 2024 Law360 IP MVPs.

Her biggest accomplishment:

Truelove told Law360 she came into her own this year, earning a reputation as an attorney who can "put a good jury in the box" for patent infringement trials.

Her jury selection prowess came into play in September during a trial she described as the most enjoyable manifestation of her skill set this year: helping Mojo Mobility win a \$192 million damages award after persuading a jury that Samsung's Galaxy smartphones and other devices infringed five of its patents on wireless charging technology.

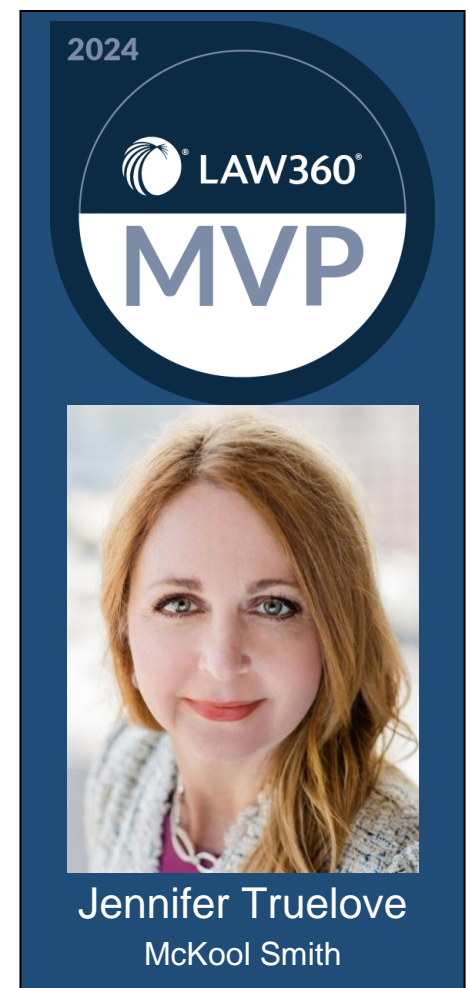
According to Truelove, Mojo's founder and a named inventor of the patents, Afshin Partovi, was involved in nearly every aspect of the case, including testifying during the trial. During the course of the litigation, she said, they became friends.

"There's all different kinds of clients in the patent space, and so when you do have that kind of personal connection with your client, it makes it all the more worthwhile," Truelove said.

Her biggest challenge this year:

In addition to winning damages awards for Netlist and Mojo, Truelove helped secure a \$142 million jury verdict for G+ Communications during a damages retrial in April, more than doubling the initial damages award of \$67.5 million in January.

But that case came with a special challenge: how to convince a jury that the owner of G+ Communications, who didn't invent the technology covered by the patents but bought them from



Chinese company ZTE with the intention of monetizing them, should still be compensated by Samsung for infringement.

"That's a harder story to tell," Truelove said. "You've got to make sure that you can put people in the jury box who appreciate that a patent is property."

Truelove said the legal team, which included counsel from Irell & Manella LLP, had concerns about whether jurors might view G+ Communications negatively for purchasing the patents from a Chinese company. That turned out not to be an issue, so the team coalesced around choosing jurors who they believed would agree that G+ Communications should be compensated for patents found to be valid and infringed.

"It was a matter of getting everyone on board with, this is the law — and it's OK if you don't agree with it, or you don't think it should be that way — but making sure that the eight people that got in the jury box were all willing to follow the law," Truelove said.

Why she's an IP attorney:

Truelove started out as a district attorney handling the child protective services docket, trying cases that often involved child abuse. The emotionally taxing nature of that work eventually took a toll on her. She knew nothing about IP law, but knew she needed a change.

Truelove reached out to Sam Baxter, an acquaintance and renowned patent litigator at McKool Smith, and made a bold request.

"I said, 'I don't know what you do. I don't know anything about patents. I don't know anything about patent law. But I spent a decade trying cases, and you don't have a lot of women standing up doing stuff in the courtroom. Give me a shot,'" she recalled telling Baxter.

Not long after that, Truelove was standing up in front of a jury trying patent cases.

Now, she enjoys the challenge that comes with finding ways to explain complex technology to jurors.

"When you're talking about a criminal case, everybody understands what burglary is. They may not know the specifics or the details of the statute, but it's not complicated to get across what happened. But it's pretty challenging in patent cases to figure out a way to get the essence of the technology across," Truelove said.

Her advice for junior attorneys:

Truelove's top tip for attorneys looking to advance is to find a good mentor — someone who will take the time to dig in and show junior attorneys the ropes, as well as go to bat for them to get the opportunities they're looking for.

When seeking a mentor, junior attorneys should find someone trustworthy with whom they can build an organic relationship, she said.

"Get a champion, someone who's going to stick up for you and knows what you're capable of doing and will fight for you," Truelove said. "That's a big part of the reason I'm where I am today is because Sam Baxter gave me a shot."

--As told to Britain Eakin. Editing by Adam LoBelia.

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