

Intent To Induce Infringement Found Based On "Targeting The US Market" Theory.

In *LG Display Co. v. AU Optronics Corp.*, 686 F. Supp. 2d 429 (D. Del. Feb. 16, 2010), Judge Farnan made a potentially significant ruling regarding the intent necessary to induce infringement for non-U.S. based component manufacturers. The case stemmed from an ongoing battle between two manufacturers of LCD panels that are incorporated into other products overseas (*e.g.*, televisions and computer monitors) by third parties (*e.g.*, integrators and/or OEMs). Some of these products may make their way into the U.S.

AU Optronics ("AUO") prevailed against LG Display "LGD" on its claim that LGD induced infringement of AUO's patents in the United States. The District Court found the requisite intent to induce infringement based on LGD's actively targeting the U.S. market through marketing, sales, and customer support as well as unrebutted testimony that LGD sold millions of dollars of accused products in the U.S. The court also found that LGD touted AUO's patent features to LGD's US customers and knew its customers were selling the infringing devices in the U.S.