

Judge Robinson Outlines Her Practice Regarding Willfulness And The Admissibility of Opinions of Counsel post-Seagate

In *Cordis Corp. v. Boston Scientific Corp.*, 2010 U.S. Dist. Lexis 7197 (D. Del., Jan. 28, 2010), Judge Robinson addressed the admissibility of opinions of counsel and other evidence of willfulness post- *In re Seagate Technology, LLC*, 497 F.3d 1360 (Fed. Cir. 2007) (en banc). According to Judge Robinson, generally only pre-litigation evidence will be admissible. In addition, Judge Robinson expressed great reluctance in admitting prior court decisions and decisions of administrative proceedings as “objective evidence” of willfulness.