

THE TOP 100 VERDICTS OF 2014

The National Law Journal's VerdictSearch affiliate scoured the nation's court records in search of 2014's biggest verdicts, also consulting with practitioners and reviewing reports by other ALM Media LLC publications. The amounts listed here represent jury awards—they do not account for judicial reductions, offsets or appeals.

RANK	AMOUNT	TYPE	NAME/COURT/DATE	LEAD PLAINTIFFS' ATTORNEY(S)/FIRM(S)	LEAD DEFENSE ATTORNEY(S)/FIRM(S)
6.	\$393,600,000.00	Intellectual Property	Edwards Lifesciences LLC v. Medtronic CoreValve LLC, D. Del., 1:12-cv-00023-GMS; 1:08-CV-00091-GMS, 1/15/2014	Nicholas P. Groombridge and Catherine Nyarady, Paul, Weiss, Rifkind, Wharton & Garrison LLP, New York	Jan M. Conlin and Martin R. Lueck, Robins, Kaplan, Miller & Ciresi L.L.P., Minneapolis

PATENTS — INFRINGEMENT

Defendant willfully infringed on aortic valve patent: plaintiff

VERDICT \$393,600,000

CASE Edwards Lifesciences LLC and Edwards Lifesciences PVT Inc. v. Medtronic CoreValve LLC and Medtronic Inc. / Edwards Lifesciences AG and Edwards Lifesciences LLC v. Corevalve Inc. and Medtronic CoreValve LLC / Edwards Lifesciences AG and Edwards Lifesciences LLC v. Medtronic Inc., Medtronic CoreValve LLC, and Medtronic Vascular Inc., No. 1:12-cv-00023-GMS

COURT U.S. District Court, District of Delaware, Wilmington, DE

JUDGE Gregory M. Sleet

DATE 1/15/2014

PLAINTIFF ATTORNEY(S) Nicholas P. Groombridge (co-lead), Paul, Weiss, Rifkind, Wharton & Garrison LLP, New York, NY
Catherine Nyarady (co-lead), Paul, Weiss, Rifkind, Wharton & Garrison LLP, New York, NY
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Brian P. Egan, Paul, Weiss, Rifkind, Wharton & Garrison LLP, NY, NY
Christopher Terranova, Paul, Weiss, Rifkind, Wharton & Garrison LLP, New York, NY

DEFENSE ATTORNEY(S) Jan M. Conlin (co-lead), Robins, Kaplan, Miller & Ciresi L.L.P., Minneapolis, MN
Martin R. Lueck (co-lead), Robins, Kaplan, Miller & Ciresi L.L.P., Minneapolis, MN
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Edward R. Reines, Weil, Gotshal & Manges LLP, Redwood Shores, CA

FACTS & ALLEGATIONS Plaintiff Edwards Lifesciences LLC is the exclusive licensee of the '825 patent, a transcatheter aortic valve, for the field of all cardiovascular applications.

The patent is a collapsible and expandable tissue-valve prostheses that replace human heart valves using minimally invasive catheterization procedures.

Aortic valve stenosis is a deadly narrowing of the aortic valve that obstructs blood flow from the heart. An estimated 150,000 patients are diagnosed with aortic stenosis each year.

The '825 patent reportedly circumvents the trauma of having to open up a patient's chest by inserting the transcatheter aortic-valve replacement into the heart through an artery, via a catheter, in the leg or through an incision in the upper body. The minimally invasive procedure allows patients to be discharged from the hospital within a couple of days, instead of weeks after the procedure.

Edwards claimed, by the time the patent was issued on Aug. 23, 2011, Medtronic Inc.'s CoreValve System had been infringing the patent by manufacturing identical heart-valve prostheses in the United States. In addition, CoreValve reportedly made components in the United States that were then shipped to Mexico for assembly of aortic-valve replacement that allegedly further infringed the Edwards' transcatheter.

Edwards sued Medtronic on claims of patent infringement. Plaintiff's expert in cardiology testified about the patent, the history of its technology, and opined the '825 was valid and was infringed by defendant.

The defense's expert in intellectual property maintained CoreValve did not infringe the '825 patent, and the patent was invalid.

INJURIES/DAMAGES Plaintiff's expert in economics presented a damages analysis of approximately \$400 million in lost profits and about \$5 million in reasonable royalty.

The defense disputed plaintiffs' claim for damages, asserting that the amounts were grossly exaggerated.

RESULT The jury found Medtronic directly infringed claims 1, 2, 4, and 5 of the '825 patent, and that Medtronic's infringement of the '825 patent was willful. Jurors also found the asserted claims of the '825 patent are valid.

The jury determined Edwards would receive \$393,600,000.

EDWARDS LIFESCIENCES LLC

\$388,800,000 lost profits
\$4,800,000 reasonable royalty
\$393,600,000

TRIAL DETAILS Trial Length: 8 days

PLAINTIFF EXPERT(S) Nigel P. Buller, M.D., cardiology, Gregory K. Leonard, Ph.D., economics, San Francisco, CA

DEFENSE EXPERT(S) Gary L. Loomis, Ph.D., intellectual property, Solana Beach, CA

EDITOR'S NOTE This report is based on court documents and on information that was provided by plaintiffs' counsel. Defense counsel did not respond to the reporter's phone calls.

—Aaron Jenkins