

Saint-Gobain Wins Enhanced Damages of \$10.9 Million and Attorney Fees Against Xinyi

Alexandria, VA – On March 31, 2010 Judge Sara Lioi of the United States District Court for the Northern District of Ohio doubled the damages Chinese windshield manufacturer Xinyi Automobile Glass Company, Ltd. must pay Saint-Gobain Autover for its willful infringement of Saint-Gobain's patents. Judge Lioi also ordered payment of attorney fees and costs for a total award of over \$24 million.

Judge Lioi held that the “deliberate nature of Xinyi's copying actions, with the obvious intent to undermine Saint Gobain's position in the marketplace” warranted a 100% enhancement of the \$10.9 million in damages awarded to Saint-Gobain by the jury in a November 2009 trial.

Judge Lioi also declared the case exceptional and, citing the fact that “counsel achieved ‘excellent results’ for Saint-Gobain”, ordered Xinyi to pay attorney fees and costs in the amount of \$2.3 million.

“We are very pleased with Judge Lioi's decision. We think this award of enhanced damages and attorney fees is in line with what the evidence showed as to the level of culpability of the conduct,” said Barry Herman, a partner with Oblon, Spivak.

The lawsuit was originally filed in November 2006, based on Xinyi's sales of certain aftermarket windshields. The patents-in-suit are U.S. Patent No. 5,095,669 and RE 37,395, relating to a windshield molding design and installation method that simplifies the windshield installation process. On November 10, 2009 a jury had unanimously awarded Saint-Gobain over \$10.9 million in damages and found Xinyi's infringement was willful.

Saint-Gobain is represented by Oblon, Spivak, McClelland, Maier & Neustadt, L.L.P. in this litigation, one of the largest intellectual property specialty firms in the United States. The firm specializes in representing non-US companies, to include many of the major Western European and Japanese companies, in all aspects of United States Intellectual Property matters.

Saint-Gobain is one of the leading glass manufacturers in the world, providing automotive glass in automobiles, as well as flat glass for construction applications. Approximately half of all European automobiles are equipped with Saint-Gobain's glass.

Assisting clients for 40 years, Oblon, Spivak, McClelland, Maier & Neustadt, L.L.P. is one of the largest intellectual property specialty firms in the United States. The firm provides a full range of intellectual property services, including litigation matters in all courts, as well as trademark, copyright and patent interference services.

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