

## Rothwell Figg Client Nichia Corporation Defeats Motion to Dismiss

Rothwell Figg client, Nichia Corporation (“Nichia”), recently defeated the motion to dismiss filed by defendant, Feit Electric Company, Inc. (“Feit”), in a case brought by Nichia in the United States District Court for the Central District of California, Case No. 20-359, which is pending before Judge Wu.

The case concerns Nichia’s claim that Feit is infringing Nichia’s U.S. Patent No. 9,752,734 by making, using, importing, offering for sale, and/or selling “filament-style LED lightbulbs” that infringe various claims of Nichia’s ‘734 patent. Feit contended that Nichia’s complaint failed to state a claim under Federal Rule of Civil Procedure 8(a)(2), and the Supreme Court’s interpretations thereof in *Iqbal* and *Twombly*, because Nichia’s complaint did not sufficiently allege that the accused Feit products infringe two elements of representative claim 1 of the ‘734 patent – “a first set of the light emitting element chips are mounted on the first region” and “a second set of light emitting element chips are mounted on the second region.” Feit further alleged that Nichia cannot plausibly allege infringement of these claim limitations because the limitations are “entirely arbitrary” and thus indefinite. The Court agreed with Nichia that Defendant’s motion hinged on a claim construction dispute that was not ripe for resolution at the motion to dismiss stage, and that Defendant has not shown that the meaning of the terms “first set...” and “second set ...” in the context of the ‘734 patent claims is so clear-cut that those terms can be interpreted in Defendant’s favor at the pleading stage, without reference to the full range of evidence properly considered during claim construction.

Rothwell Figg is pleased to represent Nichia in a variety of lawsuits and other matters.

Nichia is represented by Rothwell Figg attorneys Robert Parker, Martin Zoltick, Jenny Colgate, Michael Jones, Mark Rawls, Lawson Allen, and Richard Waterman.

### Key Contacts

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### Related Areas of Practice

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