

HIGH COURT ADOPTS HRR POSITION

The U.S. Supreme Court on Tuesday held the America Invents Act did not narrow the scope of the on-sale bar in patent cases, leaving unchanged a long-standing rule that confidential sales of an invention can be used to invalidate a patent

The New York Times

FRIDAY, SEPTEMBER 2, 2011

Church Leaders Sue Princeton Over Stolen Manuscripts

In a lawsuit, officials of the Eastern Orthodox Church say the University has four manuscripts that were looted from a monastery in Greece.

Investor In Crypto Ponzi Wins Bid To See Opponent's Notes

A federal magistrate judge in Connecticut ruled Tuesday that because customer of GAW Miners LLC and ZenMiner LLC provided a federal investigator with notes related to their suit accusing the cryptocurrency of their minority investors of conducting a "game for the investor"

Russia Held Liable Again Over Crimean Assets

A tribunal seated in The Hague has found Russia liable in a billion-dollar claim over a banking operation in a separate case in Ukraine.



Litigation Wrap

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1Q2019 Developments

More Victories Against Russia

A team led by **John Townsend** and **Jim Boykin** secured two awards against the Russian Federation from the Permanent Court of Arbitration at the Hague on Feb. 4. These involved claims regarding Russia's expropriations in Crimea, brought on behalf of the owners of Belbek Airport, a private airport in Sevastopol, PrivatBank, the largest bank in Ukraine, and Finance Company Finilon LLC. Both arbitrations will go forward to a quantum phase to determine the amount of compensation to which the claimants are entitled.

Rare Procedural Strategy

HHR obtained a significant victory on April 4 for a radiology practice when New York's Appellate Division, First Department adjudicated a professional liability dispute in our client's favor. The HHR team took advantage of a little-known procedure, bypassing the New York Supreme Court, which would have entailed the time and expense of discovery and motion practice. Instead, it took the case directly to the Appellate Division on the basis that only the legal issue, not the facts, were in dispute. Working on the matter were **Ned Bassen**, **Harry Packman** and **Amina Hassan**, who made the oral argument.

HHR Wins Ruling in Crypto Ponzi

A team led by **Sarah Cave** and **Dan Weiner** won a key ruling for our client, the last remaining defendant in a civil suit accusing two cryptocurrency mining companies and their founder of defrauding customers and investors in a \$9 million Ponzi scheme. On Jan. 22, a federal Magistrate Judge in Connecticut granted HHR's motion to compel discovery, ruling that the information requested was not confidential because plaintiffs had already shared it with the FBI. On Feb. 19, the District Court affirmed and ordered production of that information.

High Court Adopts HHR Position

On Jan. 22, the U.S. Supreme Court held in *Helsinn Healthcare S.A. v. Teva Pharmaceuticals USA Inc.* that the "on sale" category of patent-defeating "prior art" includes claimed inventions sold on terms that include confidentiality undertakings—a position that HHR advocated in an amicus curiae brief filed on behalf of the High Tech Inventors Alliance (HTIA) and SPCM S.A. **Jim Dabney** and **John Duffy** led HHR's IP appellate team, which included **Patrice Jean**, **Khue Hoang**, **Jim Klaiber** and **Richard Koehl**.

HHR Wins Alda Trademark Dispute

Patrice Jean led HHR's trademark team in securing a victory for actor Alan Alda's company, the Alda Communication Training Company (ACT), on Feb. 6 when the government of Australia rejected a petition from German-based discount grocery chain Aldi Inc. that challenged ACT's trademark application. The government also awarded costs against Aldi. Aldi had been challenging ACT's marks worldwide and has agreed to withdraw its remaining opposition and cancellation proceedings.

Suit Over Stolen Manuscripts

HHR is representing the Greek Orthodox Church pro bono in a lawsuit filed in the Federal District Court of New Jersey to reclaim from Princeton University four ancient Christian manuscripts that were stolen when Bulgarian guerrillas stormed the Theotokos Eikosiphoinissa Monastery in 1917. "We are doing this to right a wrong that was committed over 100 years ago," said **George Tsougarakis**, who is leading the HHR team, which includes **Michael Salzman** and **Eric Blumenfeld**. HHR is also discussing the return of additional manuscripts with Duke University and the Morgan Library & Museum.

Win in Paris Court of Appeals

In an important ruling under French law, where commercial agent status is highly protective in the event of contract termination, **Sena Agbayissah** and **Ludmilla Balandine** obtained a victory on Feb. 21 for portfolio management company Convictions AM (now Sanso Investment Solutions). The case began when one of Convictions AM's financial product distributors, Asse7 Partners, sued to obtain various indemnities, including claiming it was a commercial agent and was entitled to compensation. After a long battle, the Paris Court of Appeals agreed with HHR's position that Asse7 could not be a commercial agent and claim any indemnity in this respect.

Among Top Firms in Antitrust

HHR's Antitrust Group has once again been recognized as one of the leading practices in Washington, D.C. by Global Competition Review, the world's leading antitrust and competition law journal. The 2019 edition of the GCR 100, which lists the world's top competition practices, marks the second consecutive year that the D.C. team was selected for inclusion.