

MINER CRYSTALLEX INCHES FORWARD IN LEGAL DISPUTE WITH VENEZUELA

Canadian mining company Crystallex has won a court order that advances its efforts to collect on a \$1.4 billion award linked to a dispute with Venezuela over the 2008 expropriation of the Las Cristinas gold project.

SBS Victorious In Salsa Copyright Case

A copyright fight involving the songs of such salsaeros as Celia Cruz has been brought to a halt by a Federal court in New York, bringing an end to Spanish Broadcasting System and its lawsuit against the defendants.

Supreme Court Limits Where Patent Lawsuits Can Be Filed: Decision could limit venue-shopping in patent cases

The Supreme Court limited the ability of patent holders to bring infringement lawsuits in courts that have plaintiff-friendly reputations.

Crimean Investors' Claims Against Russia Will Proceed

An arbitration initiated by real estate investment companies that owned properties in Crimea were allegedly seized by Russia after the annexation of the peninsula.

Litigation Wrap

Second Quarter 2017

Hughes Hubbard & Reed LLP • A New York Limited Liability Partnership
One Battery Park Plaza • New York, New York 10004-1482 • +1 (212) 837-6000

Attorney advertising. Readers are advised that prior results do not guarantee a similar outcome. No aspect of this advertisement has been approved by the Supreme Court of New Jersey. For information regarding the selection process of awards, please visit www.hugheshubbard.com/legal-notices-award-methodologies.

Hughes Hubbard & Reed

2Q2017 Developments

Unanimous Supreme Court Win

Hughes Hubbard led TC Heartland LLC to a decisive, 8-0 victory over Kraft Foods in the Supreme Court of the United States. The Court's decision reversed the Federal Circuit and restored patent venue protections that U.S. businesses had enjoyed for nearly a century between 1897 and 1990. The case was dismissed with prejudice on June 23. **Jim Dabney** led the HHR case team, which included **John Duffy** and **Richard Koehl**.

3rd Jurisdiction Win in Crimea Arb.

A treaty arbitration team led by **John Townsend**, **Marc-Olivier Langlois** and **Jim Boykin** won another Permanent Court of Arbitration decision, this time accepting jurisdiction over a claim against the Russian Federation by Everest Estate and 18 other entities that owned real estate in Crimea. The decision, which was issued on March 20, was announced on April 5.

Firm Advances Pursuit of \$1.4B

A team led by **Alex Yanos**, which included **Meaghan Gragg** and **Carlos Ramos-Mrosovsky**, won critical court approval on June 9 when a U.S. District Court judge granted Hughes Hubbard's request to register the judge's March 25 order — a move that advances our client Crystallex

International Corp.'s efforts to collect on a \$1.4 billion arbitration award against the Venezuelan government.

Second Circuit Lehman Victory

In the last of nearly 1,400 disputed customer claims resolved through court proceedings in the Lehman liquidation, a Second Circuit panel affirmed the expungement of a claim by FirstBank Puerto Rico which sought to recover \$62 million based on an interest-rate swap agreement that the bank entered into with another Lehman affiliate. The appeals court found that lower courts ruled correctly that FirstBank did not qualify as a customer of LBI. **Sarah Cave** argued the appeal.

Six Straight Costco IPR Victories

Hughes Hubbard led Costco Wholesale Corp. to six straight victories over Robert Bosch LLC in inter partes review (IPR) proceedings challenging the validity of Bosch windshield wiper patents. In six decisions issued between March 30 and April 24, a Patent Trial and Appeal Board invalidated sixteen claims in six patents which Bosch asserted against Costco. **Jim Dabney** led the HHR case team, which included **Richard Koehl** and **Jim Klaiber**.

Novel Strategy for Auction House

As part of a novel strategy to help an auction house enforce a multimillion-dollar guarantee by a Chinese collector who reneged on his winning bid for a Gerhard Richter painting, **Dan Weiner** and **Eric Blumenfeld** convinced a New York State Supreme Court judge to issue a temporary restraining order on another painting, worth approximately the same amount, which the same collector had consigned to a New York City art gallery.

Russian Contract Dispute Win

Ned Bassen and **Margot Warhit** achieved a substantial victory for UK global staffing provider Fircroft in a contract dispute with one of its former employees who worked in Russia. On May 25, a Harris County Texas District Court judge granted summary judgment for Fircroft and dismissed the plaintiff's lawsuit with prejudice.

Bench Trial Win in Copyright Case

The firm assisted in the defense of a copyright infringement case against Spanish Broadcasting System for allegedly airing unlicensed songs over its radio stations. On April 17,

a U.S. District judge dismissed the case, ruling that the plaintiffs failed to offer any credible evidence of infringement. **Jim Fitzpatrick** collaborated with co-counsel in obtaining partial summary judgment and on strategy for the trial.

Firm Wins ALM Litigation Award

Hughes Hubbard was jointly awarded the "Transatlantic Litigation Team of the Year" award on June 8 by ALM Media for its work on the \$7.3 billion dispute surrounding the collapse of Nortel Networks. The award was shared with the English and Canadian firms who worked together with Hughes Hubbard on the multi-jurisdictional matter. **Derek Adler** led Hughes Hubbard's Nortel team, which included **Bill Maguire** and **Neil Oxford**.

Firm Again Named to Elite GAR 30

On March 30, Hughes Hubbard was recognized by Global Arbitration Review (GAR) as one of the top 30 international arbitration firms in the world. GAR particularly noted the significance of Hughes Hubbard's work for Ukrainian investors in Crimea and for Crystallex in winning and enforcing a billion-dollar award against Venezuela.