

Akerman Wins \$110 Million Jury Verdict For Client Atturo Tire

An Illinois federal jury awarded Akerman client Atturo Tire Corp. \$10 million in compensatory damages and \$100 million in punitive damages on September 22. Following a 5-day trial in Chicago, the jury found Toyo Tire Corp. and Toyo U.S.A. Corp. liable for unfair competition, defamation, unjust enrichment, deceptive trade practices, and tortious interference with Atturo's business.

The dispute dates back to 2013, when Toyo brought an International Trade Commission action for design patent infringement. Toyo did not sue Atturo in the ITC or bring any trade dress claim there. Nevertheless, Toyo began conditioning settlement of the ITC action on permanent agreements of many other companies in the tire industry to never sell, manufacture, distribute, or import Atturo's Trail Blade M/T tire. As the jury found, Toyo also misrepresented to Atturo's existing and prospective customers and manufacturing partners that Toyo owned and Atturo infringed a trade dress right in Toyo's Open Country M/T tire.

The Akerman trial team was based in the firm's Chicago office and included Intellectual Property Practice Chair Brian Bianco, Litigation partner Julia Lissner, and Intellectual Property partner Jay Schafer.

"We thank the jury for their careful attention to the case," Bianco said. "Our client, Atturo, has fought for a long time to get here. It's gratifying that the jurors understood that what Toyo did was wrong and has finally set things right," Bianco added.

This is the latest success for Akerman in a long string of

wins in this case in the Northern District of Illinois, including several summary judgment victories, multiple sanctions orders against Toyo, and exclusion of three Toyo expert witnesses.

About Akerman

Akerman LLP is a top 100 U.S. law firm recognized among the most forward-thinking firms in the industry by Financial Times. Its more than 700 lawyers and business professionals collaborate with the world's most successful enterprises and entrepreneurs to navigate change, seize opportunities, and help drive innovation and growth.