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ITC ALJs Rule Quickly on IP Rights—Attorneys Risk Sanctions for Not Cooperating

A recent International Trade Commission administrative law judge ruling offers important lessons to anyone involved in the battles over U.S. intellectual property rights, Perkins Coie IP attorneys say. The ALJ sanctioned the complainant's attorneys twice—for producing 160,000 pages of documents late, and for dropping four claims the day before an evidentiary hearing. And they almost got sanctioned a third time.

The unique nature of the International Trade Commission—and how it differs from U.S. federal district courts when enforcing U.S. intellectual property rights—was on full display in an ITC administrative law judge's recent decision in *Certain Movable Barrier Operating Systems, and Components Thereof*,

Two of the main differences concern speed and cooperation. Given the increased importance of the ITC in patent matters in recent years as a result of the America Invents Act and a 2017 U.S. Supreme Court decision, this case offers important lessons to anyone involved in the battles over U.S.

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