



Insights: Perspectives

KT Client Success | \$100 Million Win for Client GREE in Mobile Gaming Patent Clash

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In May 2021, a Texas jury handed down a \$92 million verdict in favor of Kilpatrick Townsend client GREE, Inc. in its long-running patent battle with Supercell Oy, increasing the total jury verdicts GREE has obtained against Supercell to over \$100 Million. GREE is a Japanese gaming and internet media company and a pioneer in mobile social gaming, including in cutting-edge technologies that enable the “freemium” model of gaming apps where the original download is free but players can buy additional valuable virtual items within the app.

GREE sued Supercell, a Finnish mobile gaming company owned by China’s media giant Tencent, asserting that Supercell’s freemium gaming app hits “Clash of Clans,” “Hay Day,” and “Clash Royale” infringed six of GREE’s patents that cover such features as allowing players to participate in virtual battles, aiding players in acquiring valuable virtual items, and enabling social game play that encourages player engagement. At a trial in May 2021, the jury found that Supercell’s apps – which brought Supercell more than \$3 billion in earnings in the US over the relevant time - infringed all six of GREE’s patents, and awarded GREE \$92 million in damages, the exact amount GREE sought. The jury also rejected Supercell’s contention that the patents were invalid. Moreover, the jury found that Supercell’s infringement was willful, which could treble the \$92 million damages awarded to GREE.

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This is the second patent case in which GREE has recently prevailed over Supercell. In September 2020, another Texas jury found that Supercell willfully infringed a different set of five GREE patents and awarded \$8.5 million in damages. Notably, the two Texas cases are only a portion of the complex series of legal actions between the parties, including proceedings in the U.S. Patent Trial and Appeal Board and appeals in the Federal Circuit, and Kilpatrick Townsend has been by GREE’s side in each and every proceeding.

This successful outcome required years of dedication from a large, collaborative Kilpatrick Townsend team. Led by partners **Steven Moore** and **Taylor Ludlam**, the team included **Rishi Gupta**, **Kasey Koballa**, **Taylor Pfingst**, **Andy Rinehart**, **Alton Absher**, **Michael Morlock**, **Susie Moore**, with key support from **Kevin Bell**, **Josh Lee**, **Norris Boothe**, and **John Alemanni**, who handled a variety of issues including parallel proceedings at the PTAB.

GREE’s tremendous win and Kilpatrick Townsend’s successful representation has garnered wide press coverage from a variety of national and local media, including [Bloomberg](#), [Reuters](#), [Law360](#) and [Texas Lawyer](#), as well as articles in publications specializing in gaming and patent law.

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