

Press Release

Akerman Honored by Chicago Legal Publisher for Atturo Tire Trial Win

October 24, 2022

Akerman LLP is proud to announce that its litigation success in an intellectual property trial in 2021 has won the acclaim of Chicago's *Law Bulletin Media* in its 11th annual "Trial Lawyer Excellence Awards." The Akerman lawyers involved were celebrated on the evening of Tuesday, October 25th, at the Hyatt Regency Chicago, in an event attended by more than 200 attorneys and 35 judges.

Brian Bianco, Julia Lissner, and Jay Schafer, all Chicago partners of Akerman, were the legal team in *Atturo Tire Corp. v. Toyo Tire Corp., Toyo Tire U.S.A. Corp.* and represented Waukegan-based Atturo Tire Corp. In September 2021, an Illinois federal jury awarded Akerman client Atturo Tire Corp. \$110 million in total compensatory and punitive damages after a five-day trial. The jury found Atturo's adversaries, Toyo Tire Corp. and Toyo U.S.A. Corp. liable for unfair competition, defamation, unjust enrichment, deceptive trade practices, and tortious interference.

The dispute dated 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

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Blade M/T tire, one of its signature products. 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.

"On top of last year's trial victory, this is a great accolade for Akerman," said Bianco. "We are very grateful to *Law Bulletin Media* for the publication's recognition of this hard-fought win."

The Atturo trial win was another success for Akerman in a long string of wins in the Atturo lawsuit in the Northern District of Illinois, including several summary judgment victories, multiple sanction orders against Toyo, and exclusion of three Toyo expert witnesses.

Brian Bianco is the Chair of the Akerman Intellectual Property Practice Group; Jay Schafer is a partner in that group; and Julia Lissner is a partner in the Litigation Practice Group of the firm. *Law Bulletin Media* publishes *Chicago Daily Law Bulletin*, *Chicago Lawyer*, *Jury Verdict Reporter*, and *Sullivan's Law Directory*, among other titles.

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.