

Sterne Kessler and Patterson IP Law Team Up to Secure \$12.9M Win Over Caterpillar

On February 22, 2024, a Delaware federal jury awarded John Deere subsidiary Wirtgen America, Inc. \$12.9 million against Caterpillar, Inc. for Caterpillar's willful infringement of five Wirtgen patents. Wirtgen accused Caterpillar of infringing its patents related to technology found on Caterpillar's road milling machines and rotary mixers.

The case started in 2017, when Wirtgen filed suit against Caterpillar in federal district court in Delaware, as well as at the U.S. International Trade Commission (ITC). Wirtgen prevailed at the ITC, which resulted in an exclusion order against Caterpillar. The district court action was stayed during the pendency of the ITC proceeding and associated appeals.

Sterne, Kessler, Goldstein & Fox teamed with Nashville-based Patterson IP Law Group, Wirtgen's long time counsel, to secure the win.

Sterne Kessler's team included [Paul A. Ainsworth](#), [Daniel E. Yonan](#), [Deirdre M. Wells](#), [Daniel S. Block](#), [William H. Milliken](#), [R. Wilson "Trey" Powers III, Ph.D.](#), [Kyle E. Conklin](#), [Graham C. Phero](#), [Kristina Caggiano Kelly](#), [Joseph H. Kim](#), [Davin B. Guinn](#), [Brooke N. McLain](#), and [Andrew Z. Barnett](#).