

## Winston & Strawn Obtains Largest U.S. Jury Verdict of 2012 on Behalf of Monsanto

AUGUST 2, 2012

On August 1, 2012, Winston & Strawn's client, Monsanto Co., was awarded \$1 billion in a patent-infringement trial against DuPont Co. over Monsanto's patent for making Roundup Ready crops. The victory, which dealt with genetically modified seeds that allow crops to tolerate weed killer, was featured in various media outlets, including Bloomberg.com, Bloomberg Businessweek, and Thomson Reuters.

Monsanto argued that, although DuPont had the right to use Monsanto's glyphosate-tolerant Roundup Ready trait, it did not have the right to stack that with other traits. Monsanto said DuPont included the licensed Roundup Ready trait in combination with its own glyphosate-resistant genetic trait.

"This is a simple case," [George Lombardi](#), Monsanto's lawyer and a partner in Winston & Strawn's Chicago office, stated in his closing arguments. "What's really going on is taking something that doesn't belong to you and using it for your benefit when you knew it was wrong."

Asking for \$800 million to \$1 billion in royalties, Mr. Lombardi said: "They [DuPont] should pay the license fee. If you infringe, you take over the license. They infringed and they have to pay for it."

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George Lombardi