



CALYSTA

Colasse against the patent of Signify, David against Goliath?

In 2021, Colasse needed to withstand a patent infringement claim from Signify, a global leader in lighting. "What happened was that their claim was not focused on our solutions but on some components that we were buying from big names in the industry," says Manuel Colasse, CEO of the company. "Our company creates and innovates based on existing technologies. A Dutch company bought some of our products, passed them on to Signify, which disassembled them, and then sent us this complaint and asked for a licensing fee."

Tailored advice

While Signify's approach may seem unfair, the multinational is well within its rights: it can enforce its intellectual property rights at any level of the value chain, from subcomponent to finished product. To deal with this situation, Colasse called on Calysta - a consulting firm specialized in intellectual property - which took care of defending the company's rights as best as possible. "The pragmatic solution proposed by Calysta was to find an agreement that would cost us as little as possible. This is where the added value of IP consulting comes into play: we manage to reduce the company's exposure to rights and the licensing fees while having the broadest possible coverage and legal certainty," explains Manuel Colasse.

For more than a year, Colasse and Calysta worked hand in hand to finally reach a fair settlement with Signify. "Before looking at whether the patent infringement is fair, you have to look at the facts: often there is no black and white answer," adds Johannes Wohlmuth, Partner and Senior Patent Counsel at Calysta. "Instead of using our arguments to defend Colasse in costly litigation, we used them to negotiate and thus reduce the licensing fees for our client. Sometimes a good deal is better than a long trial. When asked, "Who wins the battle between David and Goliath?", Mr. Wohlmuth says that both parties win: Colasse gets legal certainty for a reasonable amount of money, while Signify gains a new licensee. It's a win-win situation!