

Merchant & Gould Scores Litigation Victory for Inventor Over Giant Hasbro Inc.

Client Background

Michael Bowling is an inventor and entrepreneur based in Tucson, Arizona. Mr. Bowling designed and patented a new shape of polyhedral gaming dice, in the shape of geometric crystals. With its unique patented design structure, these Crystal Dice™ provide an improved structure in which to generate a random numerical result. Crystal Dice™ are manufactured in the United States and available through a number of retailers as well as through the Crystal Caste, LLC website.

Challenge

Mr. Bowling filed for a patent for his unique die design in 1998. In 1999, when the patent was issued, it was found that Hasbro Inc. was using the same design for its dice within the Millennium Edition of its Monopoly® board game.

A letter was sent on behalf of Mr. Bowling to Hasbro, although it later became clear that the world's largest game manufacturer would not offer Mr. Bowling any fair compensation for its unauthorized use.

In 2003, a lawsuit was filed. Hasbro is headquartered in Rhode Island, and would be represented by the largest law firm in the state.

Solution

Merchant & Gould filed a patent infringement lawsuit on behalf of Mr. Bowling against Hasbro Inc. The case went to trial in March of 2008.

During the trial, Merchant & Gould was able to convince the jury to award Mr. Bowling a "reasonable royalty" even higher than what the firm recommended as fair compensation. The jury found that Hasbro's unauthorized use of crystal-shaped dice in the 1999 premium edition of the Monopoly® board game warranted a monetary award of \$446,182 to fairly compensate Mr. Bowling.

Tony Zeuli – Merchant & Gould lead counsel

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