

Verdict in EA Madden IP Lawsuit – Jury Finds in Favor of Original Madden Programmer

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SEATTLE – After three days of deliberations, a jury in U.S. District Court in the Northern District of California today ruled in favor of Robin Antonick, the original designer and developer of Electronic Arts' (NASDAQ: EA) best-selling Madden NFL Football games, awarding him what should be, with interest, more than \$11 million. It also gives him the ability to pursue the same claims against EA for games released after 1996—games with significantly higher revenues.

The case alleges that EA and Antonick signed a series of publishing and development contracts, culminating in a 1986 agreement that requires EA to pay him royalties on any derivative works related to the original version of EA Madden, including current annual releases, and prohibits EA from using his confidential information. The lawsuit claims that EA failed to pay millions of dollars in royalties owed to Antonick and to keep his work confidential as required by the contract.

The jury found that several of EA's games, published between 1990-1996, were virtually identical to the original version of Madden NFL Football, developed by Antonick, and used substantially similar plays and formations. With mandatory prejudgment interest, the verdict should entitle Antonick to more than \$11 million.

“This is a tremendous victory,” said Rob Carey, partner at Hagens Berman Sobol Shapiro LLP and one of Antonick's attorneys. “In many ways, this trial was a test of each party's version of events. The jury uniformly rejected the idea that this game was developed without Robin's work. It is, if nothing, a good omen for the next phase of the litigation.”

A future phase of the trial will be held to determine whether EA is responsible for paying Antonick for games published between 1997 and the present, where revenues exceed \$3 billion.

Antonick and his attorneys still plan to seek additional compensation during this stage of the litigation from the judge, who reserved for himself to decide claims for disgorgement of EA's profits. They will also seek to appeal previous rulings that excluded Super Nintendo games and fraud claims from the jury deliberations.

Today, the jury found that Antonick's game and the EA games shared substantial similarity in the plays and formations available to the user, and were virtually identical as a whole.

Antonick is also represented by Leonard Aragon of Hagens Berman Sobol Shapiro LLP, and Hagens Berman co-counseled with the Paynter Law Firm.

More information, [including the full text of the lawsuit](http://hb-ip.com/our-work/MaddenNFL), is available at <http://hb-ip.com/our-work/MaddenNFL>.

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