

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TEXAS, MARSHALL DIVISION

Vasu Holdings, LLC v. Samsung Electronics Co., Ltd., Samsung
Electronics America, Inc.

Vasu Holdings · No. 2:24-cv-00034-JRG-RSP · Decided February 5, 2026

SUMMARY

The United States District Court for the Eastern District of Texas denied Samsung’s motion to strike the opinions of Vasu Holdings’ survey expert, Dr. Andres Groehn. The court held that the expert’s use of battery-life improvements as a proxy for the economic value of patented network-switching features was sufficiently relevant and admissible under Federal Rule of Evidence 702 and Daubert.

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas, Marshall Division
WRITING FOR THE COURT	Roy S. Payne
JURISDICTION	United States District Court for the Eastern District of Texas, Marshall Division
DECIDED	February 5, 2026
DOCKET	2:24-cv-00034-JRG-RSP
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Evidence 702 and Daubert to strike portions of Plaintiff’s survey and damages expert report. The court denied the motion.
STANDARD OF REVIEW	The district court applied Federal Rule of Evidence 702 and Daubert’s reliability and relevance standard, exercising its gatekeeping function while avoiding weighing the expert’s testimony or substituting for the jury’s fact-finding role.
PRECEDENTIAL VALUE	Unknown; memorandum order from a federal district court with no reporter or neutral citation identified.

TOPICS

- expert testimony
- daubert standard
- evidence
- patent law
- commercial litigation

PRACTICE AREAS

evidence

patent law

commercial litigation

civil procedure

QUESTIONS PRESENTED

1. Whether portions of Dr. Groehn's expert report should be excluded under Federal Rule of Evidence 702 and Daubert because the report addressed battery life as well as network switching and therefore allegedly covered technology outside the scope of the asserted patents.
2. Whether Dr. Groehn's opinions were inadmissible because they relied on technical input or data from other experts.

HOLDINGS

1. The report was not impermissibly overbroad. Battery savings and network switching were sufficiently connected to the accused patented features because they were core features or benefits of the asserted inventions and were used as a proxy for the economic value of those features.
2. The court declined to strike the report on the ground that it lacked permissible technical input, particularly because the court had found the technical reports on which it relied admissible.
3. The challenged opinions were admissible under Rule 702 and Daubert, and Samsung's motion to strike was denied.

KEY QUOTATIONS

“Importantly, in a jury trial setting, the Court’s role under Daubert is not to weigh the expert testimony to the point of supplanting the jury’s fact-finding role; instead, the Court’s role is limited to that of a gatekeeper, ensuring that the evidence in dispute is at least sufficiently reliable and relevant to the issue before the jury that it is appropriate for the jury’s consideration.” (§ II)

“Vigorous cross-examination, presentation of contrary evidence, and careful instruction on the burden of proof are the traditional and appropriate means of attacking shaky but admissible evidence.” (§ II)

“For the reasons discussed above, the Motion is DENIED.” (§ IV)

FACTUAL BACKGROUND

Dr. Andres Groehn prepared a survey-based economic report estimating the value consumers placed on increased battery life and Wi-Fi/cellular network transition features in Samsung's accused products. He surveyed approximately 1,000 people regarding smartphone features and used a statistical model comparing prices of smartphones with and without those features. The report was offered to support damages for three asserted patents concerning methods of switching between wireless networks, and did not address infringement or invalidity.

PROCEDURAL HISTORY

Vasu Holdings asserted three patents involving wireless-network switching against Samsung. Samsung moved to strike portions of the report of Vasu's survey and economic damages expert, Dr. Andres Groehn, arguing that the

opinions were overly broad and lacked adequate technical input. After considering the parties' briefing and related admissibility rulings concerning other experts, the court denied the motion.

DISPOSITION

other

CASES CITED

- Kumho Tire Co. v. Carmichael, 526 U.S. 137, 149, 152 (1999)
- Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579, 592-93, 596 (1993)
- United States v. Valencia, 600 F.3d 389, 424 (5th Cir. 2010)
- Micro Chemical, Inc. v. Lextron, Inc., 317 F.3d 1387, 1391-92 (Fed. Cir. 2003)
- Pipitone v. Biomatrix, Inc., 288 F.3d 239, 249-50 (5th Cir. 2002)
- Mathis v. Exxon Corp., 302 F.3d 448, 461 (5th Cir. 2002)
- Fractus v. Samsung, 2011 WL 7563820 (E.D. Tex. Apr. 29, 2011)
- Headwater v. Samsung, 2024 WL 4712953 (E.D. Tex. Nov. 7, 2024)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION VASU HOLDINGS, LLC, § Plaintiff, § v. § § Case No. 2:24-cv-00034-
JRG-RSP SAMSUNG ELECTRONICS CO., LTD., § SAMSUNG ELECTRONICS AMERICA, §
INC., § Defendants. § MEMORANDUM ORDER Before the Court is Defendant's Motion to
Strike the Opinions of Vasu's Survey Expert, Dr. Andres Groehn.

Dkt. No. 123. For the reasons discussed below, the Motion is DENIED. I. BACKGROUND
Defendant Samsung seeks to strike portions of the report of Plaintiff's survey expert Dr. Andres
Groehn. Dr. Groehn's report seeks to assign an economic value to the "increased battery life and
the Wi-Fi/Cellular network transition" feature of the accused products. Dkt. No. 124-2 at ¶ 15.

Dr. Groehn's Report notes that his analysis requires an assessment of consumer demand to
"quantify demand for Samsung's products" with and without these features. Id. Dr. Groehn's
report then assigns a dollar value to these features. Id. Dr. Groehn's report surveys approximately
1000 people on various smartphone features, including manual/automatic network switching and
increased battery life.

Dr. Groehn then applied a statistical model to the data, whereby he compared the price of
competing smartphones with and without the polled features, to create an estimated value for each
feature. The network switching feature's value was based on the feature's estimated battery
savings, and the amount Dr. Groehn estimated consumers would pay for this increased battery life.

Id. at ¶ 125-26. Dr. Groehn's report does not assess infringement or invalidity of the asserted patents. Id. at ¶ 10. Dr. Groehn's report is relevant to the damages calculations for three asserted patents, U.S. Patent Nos. 8,886,181 ("the '181 Patent"), 10,368,281 ("the '281 Patent") and 10,419,996 ("the '996 Patent").

The '181, '281, and '996 Patents teach different ways to switch between different wireless networks. For example, the '181 Patent Claim teaches a method of simultaneously establishing connection to a second, stronger, network without losing connection to the first. Similarly, the '281, and '996 Patents include timers to "wake up" the second antenna after a specified period of time, and if certain conditions are met.

II. LEGAL STANDARD An expert witness may provide opinion testimony if "(a) the expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue; (b) the testimony is based on sufficient facts or data; (c) the testimony is the product of reliable principles and methods; and (d) the expert has reliably applied the principles and methods to the facts of the case." Fed.

R. Evid. 702. Rule 702 requires a district court to make a preliminary determination, when requested, as to whether the requirements of the rule are satisfied with regard to a particular expert's proposed testimony. See *Kumho Tire Co. v. Carmichael*, 526 U.S. 137, 149 (1999); *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579, 592-93 (1993). District courts are accorded broad discretion in making Rule 702 determinations of admissibility.

Kumho Tire, 526 U.S. at 152 ("the trial judge must have considerable leeway in deciding in a particular case how to go about determining whether particular expert testimony is reliable"). Although the Fifth Circuit and other courts have identified various factors that the district court may consider in determining whether an expert's testimony should be admitted, the nature of the factors that are appropriate for the court to consider is dictated by the ultimate inquiry—whether the expert's testimony is sufficiently reliable and relevant to be helpful to the finder of fact and thus to warrant admission at trial.

United States v. Valencia, 600 F.3d 389, 424 (5th Cir. 2010). Importantly, in a jury trial setting, the Court's role under *Daubert* is not to weigh the expert testimony to the point of supplanting the jury's fact-finding role; instead, the Court's role is limited to that of a gatekeeper, ensuring that the evidence in dispute is at least sufficiently reliable and relevant to the issue before the jury that it is appropriate for the jury's consideration.

See *Micro Chem., Inc. v. Lextron, Inc.*, 317 F.3d 1387, 1391-92 (Fed. Cir. 2003) (applying Fifth Circuit law) ("When, as here, the parties' experts rely on conflicting sets of facts, it is not the role of the trial court to evaluate the correctness of facts underlying one expert's testimony."); *Pipitone*

v. Biomatrix, Inc., 288 F.3d 239, 249-50 (5th Cir. 2002) (“[t]he trial court’s role as gatekeeper [under Daubert] is not intended to serve as a replacement for the adversary system.’...

Thus, while exercising its role as a gate-keeper, a trial court must take care not to transform a Daubert hearing into a trial on the merits,” quoting Fed. R. Evid. 702 advisory committee note). As the Supreme Court explained in Daubert, 509 U.S. at 596, “Vigorous cross-examination, presentation of contrary evidence, and careful instruction on the burden of proof are the traditional and appropriate means of attacking shaky but admissible evidence.” See Mathis v. Exxon Corp., 302 F.3d 448, 461 (5th Cir.

2002). III. ANALYSIS In their Motion, Defendants contend that Dr. Groehn’s report is too broad, because it covers technology outside the scope of the asserted patents, namely battery life. Dkt. No. 123 at 14. To support this assertion, Defendants rely on Fractus v. Samsung, where economic expert testimony was stricken under Daubert because it was too broad.

2011 WL 7563820 (E.D. Tex, April 29, 2011). There, the asserted patents taught improvements to internal cell phone antennas. Conversely, the expert testimony considered the value consumers place on external antennas, as compared to internal antennas. Defendants argue that Fractus is analogous, because Dr. Groehn’s report covers battery life, rather than just the “switching” taught by the ’181, ’281, and ’996 Patents.

Finally, in their Reply, Defendants argue that Dr. Groehn’s report is not based on “technical input,” but rather on the expert opinion of others, and is thus impermissible. Dkt. No. 167 at 5. In opposition, Plaintiff argues that Fractus is distinguishable, because saving battery life and automatic switching are core features of the inventions, as they are mentioned in all three asserted Patents’ specifications.

Dkt. No. 150 at 1. They argue that Fractus is distinct, because here, battery savings are a core benefit to the consumer justifying the inclusion of the accused features, rather than the irrelevant “external” antennas discussed by the expert in Fractus. Further, Plaintiff notes that Defendant’s expert, Dr. Lanning, discusses automatic switching as a benefit to the ’181 Patent.

Finally, Plaintiff’s Sur-Reply dismisses Defendant’s “technical input” argument as directly contradicted by this Court’s Headwater v. Samsung decision, which found that an expert can rely on the technical data of other experts, so long as the underlying data is admissible. 2024 WL 4712953 (E.D. Tex. Nov. 7, 2024).

The Court is not persuaded by Defendant’s citation to Fractus. In Fractus, the court struck expert testimony regarding an entirely different subject – whether consumers prefer internal or external cell phone antennas – whereas the damages were based on the estimated increase in profits for the patented improvements in internal antenna design.

Here, the battery savings and network switching are core features of the '181, '281, and '996 Patents, given the mention in their preambles. Further, Plaintiff's expert used these battery life improvements as a proxy for how much consumers would pay for the accused improvements.

Finally, because this Court denied Defendant's Motion to strike Dr. Cole and Cooklev's reports, and found them admissible, the Court cannot accept Defendant's argument that this report does not rely on "technical input," or that the "technical input" it relies on is inadmissible.

Because Dr. Groehn's opinions use battery life to discuss the economic value of the accused instrumentalities, there remains no question of their admissibility, and the Court will deny Defendant's Motion to Strike. IV. CONCLUSION For the reasons discussed above, the Motion is DENIED. SIGNED this 1st day of February, 2026. ROY S. PAYNE UNITED STATES MAGISTRATE JUDGE