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Lawyer Quits Qualcomm Job as Legal Caseload Mounts

By [MATT RICHTEL](#)

[Qualcomm](#), the mobile phone chip maker, announced yesterday that its general counsel had resigned on the eve of a crucial hearing in its patent dispute against a rival, [Broadcom](#).

Qualcomm, which has suffered a handful of legal setbacks recently, said that its general counsel, Louis M. Lupin, was taking personal leave and would step down as the lead lawyer, although he would remain with the company in some capacity. The decision to resign was wholly personal and the company did not ask him to leave, Qualcomm said.

The company said his duties would be assumed by Carol C. Lam, a former United States attorney in Southern California who joined Qualcomm this year.

Qualcomm is facing a number of high-profile legal challenges at home and abroad.

Overseas, it continues to face anticompetition complaints from the [European Commission](#) and Korea, industry analysts said. In the United States, it is embroiled in litigation and hostile negotiations with a number of companies, including Broadcom and a longtime partner, [Nokia](#).

In the multipronged dispute with Broadcom, a federal judge last week admonished Qualcomm's lawyers for withholding evidence during a trial that concluded in January. Also last week, the Bush administration upheld an earlier ruling that required Qualcomm to pay royalties to use power management technology covered by a patent controlled by Broadcom.

"Things are not going well for Qualcomm on the legal front," said Edward Snyder, an industry analyst with Charter Equity Research. He said he believed that the setbacks and continuing disputes could significantly weaken the company's market position.

Qualcomm's legal challenges continue today in a federal court in Santa Ana, Calif. The court is scheduled to begin considering what penalties and remedies to apply in a jury case that Qualcomm lost in June in which it was accused of violating three Broadcom patents.

The company also is in the midst of negotiations with Nokia, which is refusing to pay royalties to Qualcomm. Nokia asserts that its license agreement has ended and that it is entitled to renegotiate, hoping for terms that will allow it to pay considerably lower fees.

Qualcomm continues to be in a powerful position, however, given that it controls patents for technology used in many of the world's cellphones.

Given that the company relies heavily on intellectual property, it is not unusual for Qualcomm to be

involved in legal disputes, but the last 12 months have been particularly intense, said Paul Sagawa, an industry analyst with Sanford C. Bernstein & Company.

Mr. Sagawa said he believed that both the Broadcom and Nokia issues would be resolved without doing long-term damage to Qualcomm and that the company remained on strong financial footing.

But he said the string of legal setbacks may have contributed to Mr. Lupin's departure, despite the company's statement that the decision was personal.

"I wouldn't be surprised if there was a mutual parting of the ways," he said.

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