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Federal Jury Clears Riot Platforms in Patent Case, Signaling End of Judge Albright's Tenure

By Laura Lorek
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In what may be Judge Alan Albright's final patent trial, a federal jury on April 17 found that Riot Platforms Inc. and its subsidiaries did not infringe Green Revolution Cooling's immersion-cooling patent.

The jury found that Green Revolution Cooling did not prove Riot infringed its '914 patent. The plaintiff's second asserted patent, the '463, was withdrawn during the trial and was not considered by the jury.

The verdict releases Riot Platforms and its subsidiaries, Riot Corsicana LLC and Whinstone US Inc., from liability in this high-profile dispute. Green Revolution Cooling sought over $52 million at trial, plus a running royalty that could have increased damages to approximately $200 million by the patent's expiration.

This case is significant for the rapidly expanding data center industry, which faces increasing patent litigation risks, particularly regarding third-party technologies. Plaintiffs are increasingly using "benefits-based" damages theories, claiming that innovations like advanced cooling systems warrant substantial financial awards.

Riot Platforms and its legal team, represented by Holland & Knight partners Justin Cohen, Rob Hill, Amy Simpson, and associates Morgan Delabar, Billy Oliver, and Sadie Mlika, state that the case reflects broader trends in patent litigation involving emerging technologies, similar to the early litigation seen in the cellphone industry.

Credit: Olivier Le Moal/Adobe Stock

Green Revolution Cooling was represented by a Greenberg Traurig team including Ashley N. Moore, Joseph William Shaneyfelt, Sarah-Michelle Steams and Peter S. Wahby. They did not immediately respond to a request for comment on Wednesday.

Riot's attorneys presented three main arguments that persuaded the jury that Riot did not infringe the '914 patent, according to Cohen, a partner at Holland & Knight in Dallas.

Two arguments addressed the structure of the computer systems, Cohen said. The claims required rack-mountable servers. Riot's box-shaped computers were placed on a plenum or subfloor, flat metal sheets with holes, to allow oil to flow through, pass over the computers and exit via an overflow mechanism similar to an infinity pool, Cohen explained.

"They weren't mounted because they just were held in place with gravity, and they just sat on the floor," Cohen said.

The third argument was that Riot's systems lacked a controller configured to maintain oil temperature between 90 and 130 degrees, as required by the patent, Cohen said.

Cohen noted that the defense relied heavily on photos, videos, and physical equipment, which he believes helped clarify complex technical concepts for jurors with limited technical backgrounds.

"Because Judge Albright doesn't permit us to talk to the jury, it's hard to say exactly which thing resonated, but to me the visuals are always very powerful at connecting people to exactly what you're talking about," Cohen said.

"It was a lot of pictures and videos, which I think was different from many of our other patent cases that rely more on software source code," Cohen said.

The five-day trial concluded with a jury verdict after two hours, which Cohen also attributed to effective cross-examination of the plaintiff's technical expert and a credible corporate representative who explained the systems clearly.

"Our corporate representative was the vice president of operations, whose daily responsibilities involve installing and maintaining these mining systems; his knowledge is comprehensive," Cohen said.

Cohen said data center patent litigation is mirroring the cell phone patent wars. Patent assertion entities are acquiring older patents and targeting end users rather than technology vendors, a trend seen previously in the mobile phone industry. Data centers now face increasing exposure in areas such as power management, heating, cooling and encryption.

Cohen identified indemnification language in vendor contracts as the primary risk mitigation tool. He advised data center operators and bitcoin miners to prioritize detailed indemnification provisions, including specifics on legal counsel selection, litigation control and multivendor scenarios.

"It's always good to work with reputable IP litigation counsel if you're embarking on a new technology area," Cohen said.

As companies consider whether to contest or settle patent claims, Cohen emphasized the need for a comprehensive risk and cost assessment. "We prepare detailed litigation budgets and test damages models, infringement issues, and invalidity claims from the outset," Cohen said. The burden extends beyond financial costs, often requiring key employees, such as a vice president, to dedicate significant time to trials, he said.

Collaboration and teamwork were essential during the trial, Cohen said. The legal team brought a certified therapy dog, Cohen's Great Pyrenees, Auggie, to pretrial sessions to help reduce stress. "I'm bringing Auggie to all future trials. The team loved it," Cohen said. The trend of bringing pets into legal proceedings reflects a broader focus on wellness in high-pressure environments. Albright is also known to bring his dog to work, Cohen said.

Artificial intelligence tools are playing an increasing role in patent litigation. The legal team used Harvey, an in-house proprietary system, to summarize deposition transcripts and quickly identify key evidence. "It's a time saver, and because it's a closed system, client information stays secure," Cohen said.

This trial may be Albright's final patent case, as he is expected to return to private practice in August after vacating other trials due to conflicts of interest. During his eight years in the Waco and Austin divisions, Albright transformed the district into a major hub for patent cases, at one point handling 25% of all new patent suits in the U.S.

"One thing he did in our case (which he has done in others) is to incentivize the lawyers to reduce their objections during trial by offering to give both sides 45 minutes for closing instead of 30 minutes for "good behavior," Cohen said. "We still had some objections during trial, but not very many, and he did give both sides 45 minutes each for closing. I thought it was a great way of using the carrot approach to reduce trial objections."