

# THE SOUTHEAST TEXAS Record



<http://www.setexasrecord.com>

## Federal Court

### Recent patent infringement cases filed in U.S. District Courts

10/1/2008 4:33 PM By Marilyn Tennissen



#### Marshall Division

Sept. 24

- Andrew Katrinecz et al vs. Trust International et al

Plaintiffs David Byrd, of Round Rock, Texas, and Andrew Katrinecz, of Shalimar, Fla., claim to own the rights to U.S. Patent No. 6,199,996 issued March 13, 2001, and No. 7,248,872 issued Oct. 23, 2007.

The '996 and '872 Patents are for Low Power, Low Cost Illuminated Keyboards and Keypads.

The plaintiffs allege that defendants Trust International BV, Lighthouse Brands LLC and D&H Distributing Co. infringe the '996 and '872 Patents.

"Defendants' infringement ... has injured plaintiffs, and plaintiffs are entitled to recover damages adequate to compensate it for defendants' infringement, which in no even can be less than a reasonable royalty," the original complaint states.

According to the complaint, the defendants' infringements have been willful and deliberate.

Plaintiffs are seeking injunctive relief, compensatory damages, treble damages, attorneys' fees, costs, interest and other relief.

Michael Smith of Siebman, Reynolds, Burg, Phillips & Smith LLP in Marshall and attorneys

from Taylor, Dunham & Burgess LLP in Austin are representing the plaintiffs.

The case was assigned to U.S. District Judge T. John Ward and referred to Magistrate Judge Charles Everingham.

The plaintiffs filed a similar suit on Sept. 22 against I-RocksTechnology.

Case No. 2:08-cv-363-TJW-CE

### **Sept. 26**

- Andrew Katrinecz et al vs. Sunbeam Business Co. et al

Plaintiffs David Byrd, of Round Rock, Texas, and Andrew Katrinecz, of Shalimar, Fla., claim to own the rights to U.S. Patent No. 6,199,996 issued March 13, 2001, and No. 7,248,872 issued Oct. 23, 2007.

The '996 and '872 Patents are for Low Power, Low Cost Illuminated Keyboards and Keypads.

The plaintiffs allege that defendants Sunbeam Business Co. Ltd. and SunbeamTech Inc. infringe the '996 and '872 Patents.

"Defendants' infringement ... has injured plaintiffs, and plaintiffs are entitled to recover damages adequate to compensate it for defendants' infringement, which in no even can be less than a reasonable royalty," the original complaint states.

According to the complaint, the defendants' infringements have been willful and deliberate.

Plaintiffs are seeking injunctive relief, compensatory damages, treble damages, attorneys' fees, costs, interest and other relief.

Michael Smith of Siebman, Reynolds, Burg, Phillips & Smith LLP in Marshall and attorneys from Taylor, Dunham & Burgess LLP in Austin are representing the plaintiffs.

The case was assigned to U.S. District Judge T. John Ward.

The plaintiffs filed similar suits on Sept. 22 against I-RocksTechnology and Sept. 24 against Trust International, Lighthouse Brands and D&H Distributing.

Case No. 2:08-cv-365-TJW

### **Sept. 29**

- T-Netix Inc. vs. Digital Solutions Inc. et al

Plaintiff T-Netix, a Delaware corporation with its principal place of business in Dallas, makes and sells communications systems for correctional institutions.

T-Netix products and services for correctional facilities include specialized call-processing and

billing, direct local and long-distance call processing, value-added services like pre-connection restrictions, digital recording, jail and inmate management systems, video booking and commissary services.

T-Netix claims to own the rights to U.S. Patent No. 5,484,507 issued Jan. 16, 1996, for an Integrated Commissary System.

The plaintiff also claims to own the rights to U.S. Patent No. 6,560,323 issued May 6, 2003, for a Computer-Based Method and Apparatus for Controlling, Monitoring, Recording and Reporting Telephone Access.

According to the original complaint, T-Netix alleges that defendants Digital Solutions Inc. and ITI Inmate Telephone Inc. are infringing the '507 and '323 Patents through their Offender Communication System and Offender Management System.

The plaintiff is seeking injunctive relief, attorneys' fees, costs, compensation no less than reasonable royalty, treble damages for willful infringement and interest.

Anthony J. Magee of Gruber Hurst Johansen & Hail LLP in Dallas is lead attorney for the plaintiff.

The case has been assigned to U.S. District Judge T. John Ward.

Case No. 2:08-cv-367-TJW

### **Sept. 30**

- Aerielle Technologies Inc. et al vs. Siig Inc.

Plaintiffs Aerielle Technologies Inc. and Aerielle Inc. are designers of consumer electronics whose products include wireless accessories for portable mobile audio devices such as I-Pod, MP3/4 players and related products.

Aerielle claims to own the rights to U.S. Patent No. 6,671,494 issued Dec. 30, 2003, and No. 5,771,441 issued June. 23, 1998, for a Small, Battery Operated RF Transmitter for Portable Audio Devices for Use with Headphones with RF Receiver.

According to the complaint, Aerielle alleges that Siig is infringing one or more claims of the '494 and '441 Patents and that the infringement has been willful, deliberate and intentional.

The plaintiff claims the infringement has caused it substantial damage and irreparable injury which will continue unless Siig is enjoined by the court.

In addition to injunctive relief, Aerielle is seeking compensatory damages, treble damages, interest, attorneys' fees, costs and other relief.

Michael C. Smith of Siebman, Reynolds, Burg, Phillips & Smith LLP in Marshall is representing the plaintiff with attorneys from Taylor, Dunham & Burgess LLP in Austin.

The case has been assigned to U.S. District Judge T. John Ward.

Case No. 2:08-cv-368-TJW