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Federal Court

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

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Marshall Division

Oct. 27

- Andrew Katrinecz et al vs. Willway Investment Inc. 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 Willway Investments, doing business as Logisys Computer Inc., and Shenzhen Weijan Electronics Co. Ltd. are infringing 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 has been referred to Magistrate Judge Charles Everingham.

Case No. 2:08-cv-414-TJW-CE

- Aerielle Technologies Inc. et al vs. Macally Peripherals Inc. et al

Plaintiffs Aerielle Technologies Inc. and Aerielle Inc., from Mountain View, Calif., design consumer electronics including wireless accessories for portable mobile audio devices such as iPod, MP3/4 players and related products.

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

The plaintiffs claim defendants Macally Peripherals Inc. and Mace Group Inc. doing business as Macally USA have infringed the '494 and '441 Patents, and that allege that the infringements have been willful, deliberate and intentional.

Aerielle seeks to recover damages adequate to compensate it for Macally's infringement, in an amount no less than a reasonable royalty. Aerielle is asking the court for a permanent injunction against Macally and is seeking treble damages, interest, attorneys' fees and other relief.

Michael C. Smith of Siebman, Reynolds, Burg, Phillips & Smith LLP in Marshall is representing the plaintiff along 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-415-TJW