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## Federal Court

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

4/23/2008 7:35 PM By Marilyn Tennissen



**Marshall Division, Eastern District of Texas**

**April 22**

- Aerielle Technologies Inc. et al vs. Wireless Xcessories Group Inc.

Plaintiffs Aerielle Technologies Inc. and Aerielle Inc. claim that Wireless Xcessories has infringed on at least two Aerielle patents.

The patents are U.S. Patent Nos. 6,671,494 and 5,771,441 for a Small, Battery Operated RF Transmitter for Portable Audio Devices for Use with Headphones with RF Receiver issued to John James on Dec. 30, 2003, and to John E. Alstatt on June 23, 1998, respectively.

"The '441 Patent and the '494 Patent have been assigned to Aerille who is their current owner with full rights to sue and recover damages and otherwise enforce the '441 Patent and the '494 Patent," the original complaint states.

Aerielle also alleges that WX's infringement has been willful, deliberate and intentional. The plaintiff is seeking compensatory damages no less than a reasonable royalty, injunctive relief, treble damages, interest, attorneys' fees, costs and other relief.

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

Case No. 2:08-cv-167-TJW-CE

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6/8/2012