

Intellectual Property Litigation Representative Cases

Adrain, Inc. v. Superchips, Inc. No. 04-4117 (S.D.Tex. filed Oct. 22, 2004). Secured summary judgment of non-infringement for firm client and protected ruling on appeal to CAFC.

Alexsam v. FSV et al., No. 03-337 (E.D.Tex. filed Sept. 26, 2003). Represented FSV in patent infringement litigation.

Alexsam v. Wildcard, et al., No. 03-337 (E.D.Tex. filed Sept. 26, 2003). Represented Wildcard in patent infringement litigation.

Amirav v. CMS Research Corp., No. 06-659 (S.D.N.Y. filed Jan. 27, 2006). Secured voluntary dismissal of patent infringement claims against client.

Automation Controls v. Quicksilver Resources Inc., No. 03-865 (W.D. Mich. filed Dec. 12, 2003).

B-50.com, LLC v. Xformity, Inc., No. 04-542 (N.D.Tex. filed March 15, 2004). Acted as counsel for Xformity, the alleged infringer, in a patent infringement case involving a point-of-sale reporting system using the Internet.

Bayer AG v. Carlsbad Technology Inc., No. 01-867 (S.D.Cal. filed May 18, 2001). Represented Carlsbad Technology Inc. against Bayer for patent infringement, which involved Bayer's blockbuster drug Ciprofloxacin.

Board of Regents of the University of Texas et al. v. Nippon Telegraph & Telephone Corp., No. 01-478 (W.D.Tex. filed July 23, 2001). Represent Nippon Telegraph and Telephone Corporation.

Chemsil, Inc. v. Chemsil Silicone, Inc., No. 01-813 (N.D.Tex. filed Oct. 5, 2001). Represented the defendant/counterclaimant in trademark and unfair competition case. Settled when client established prior use. Plaintiff released all claims to marks.

Datatrans Corporation v. Wells Fargo & Co., et al., No. 2:06-cv-72 (E.D.Tex. filed Feb. 24, 2006). Representation of BancorpSouth Bank, BancorpSouth, Inc., First Tennessee Bank, First Horizon National Corporation, Compass Bank, and Compass Bancshares, Inc. in this patent infringement litigation involving check imaging processes.

Eli Lilly Pharmaceutical Co. v. Carlsbad Technology Inc., No. 01-191 (S.D.Ill. filed Feb. 12, 2001). Represented Carlsbad Technology Inc. against Eli Lilly for patent infringement, which involved Eli Lilly's blockbuster drug Prozac.

Epicrealm Licensing LLC v. Autoflex Leasing, et al., No. 05-163 (E.D.Tex. filed May 2, 2005). Co-counsel for Internet Service Provider defendant in suit alleging infringement of patents relating to generation of dynamic web pages.

Fields v. Million Dollar Producer, Inc. et al., No. 97-317 (N.D.Tex. filed Apr. 17, 1997). Represented the defendant in a copyright infringement action. An agreed judgment with injunction and damage award was entered in favor of our client.

Frank's Casing v. Tesco Corp., No. 07-15 (E.D.Tex. filed Jan. 10, 2007). Representation of accused infringer in this recently filed infringement suit.

Gateway Plastics, Inc. f/k/a Glendale Plastics, Inc. v. Weatherchem Corporation, No. 05-986 (E.D.Wis. filed Sept. 13, 2005). Acted as IP counsel for the alleged infringer/counterclaim-plaintiff in a case involving a patented closure device.

Grantley Patent Holdings Ltd. v. Clear Channel Communications, Inc., No. 06-259 (E.D.Tex. filed Nov. 17, 2006). Represented defendant and its subsidiaries in a software patent infringement litigation involving yield management, inventory and billing software.

Hunter Douglas, Inc. v. Comfortex Corporation, No. 96-5046 (D.N.J. filed Oct. 25, 2006). Represented Hunter Douglas in a patent infringement action involving blinds and window treatments.

ITC Section 337 Investigation: Certain Personal Watercraft. Represented respondent, Bombardier, in patent infringement litigation. Settled after trial. (2002)

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ITC Section 337 Investigation: Certain Agricultural Vehicles and Tractors Thereof. Represented Jiangling Motor Inc. and Dongfeng Tractor Group of China against John Deere Co. (2003)

ITC Section 337 Investigation: Certain CD and DVD Players and Components Thereof. Represented BenQ Corp. and BenQ America Corp. of Taiwan against Thomson Electric Co. (2005)

ITC Section 337 Investigation: Certain Color TVs and Computer Monitors and Components Thereof. Represented BenQ Corp., BenQ America Corp. and AU Optronics of Taiwan against Thomson Licensing SA and Thomson Licensing Inc. (2005)

ITC Section 337 Investigation: Certain Ground Fault Circuit Interrupters and Components Thereof. Represented Wenzhou Van-Sheen Electric Appliance Co. and Yueqing Hwameli Electric Inc. of China against Leviton Manufacturing Co. (2002-2003)

ITC Section 337 Investigation: Certain Zero Mercury Alkaline Battery and Components Thereof. Represented Chung Pak Battery Group of Hong Kong against Eveready Holding Co. (2003-2004)

Illinois High School et al. v. Netfire, Inc. et al., No. 00-398 (N.D.Tex. filed Feb. 22, 2000). Represented (both at trial and the Fifth Circuit) the NCAA and the Illinois High School Association in a trademark and domain name dispute regarding "March Madness" and the NCAA basketball tournament.

The Image Bank, Inc. v. The Amend Group, Inc., et al., No. 99-507 (N.D.Tex. filed Mar. 9, 1999). Represented the defendant in a copyright infringement action.

Imodco Inc. v. Sofec, Inc. et al., No. 96-2654 (S.D.Tex. filed Aug. 19, 1996).

International Business Machines Corp. v. The SCO Group, Inc., No. 03-294 (D.Utah filed Mar. 25, 2003). Defended SCO against patent infringement claims. IBM withdrew all four patent claims.

Konami Corp. v. Roxor Games, Inc. et al., No. 05-00173 (E.D.Tex. filed May 9, 2005). Representation of a defendant in this patent infringement litigation.

McCormick & Co., Inc., v. Weatherchem Corp., No. 07-1100 (D.Md. filed Apr. 30, 2007). Representation of the defendant in a trademark and unfair competition case relating to grinder bottles for pepper and other similar items.

Meridian Diagnostic Inc. et al. v. Apollo Biotechnology Co., et al., No. 00-540 (S.D.Ohio filed July 5, 2000). Represented Apollo Biotechnology against Meridian Diagnostic Inc. for trade secret misappropriation and violation of non-competition agreement.

Mirror Imaging v. SunTrust Banks, Inc. et al., No. 2:08-cv-295 (E.D. Tex. filed July 29, 2008). Represent Compass Bank, Compass Bancshares, Inc., First Tennessee Bank National Association, and First Horizon National Corporation in this patent infringement litigation involving image archives.

Optivus Technology, et al. v. Ion Beam, No. 03-2052 (C.D.Cal. filed Mar. 24, 2003). Represented Ion Beam Applications in an action involving irradiation system for food, medical devices and mail.

Personalized Mass v. The Weather Channel, No. 95-242 (E.D.Va. filed Mar. 9, 1995) ("The Rocket Docket"). Represented The Weather Channel in asserting patent infringement claims involving cable television software.

Plantex USA v. Carlsbad Technology Inc., No. 05-33 (S.D.Cal. filed Jan. 10, 2005). Represented Carlsbad Technology Inc. against Plantex USA for violation of a memorandum of understanding agreement.

Pressure Positive Co. v. Discovery Channel Stores et al., No. 01-738 (E.D.Pa. filed Feb. 13, 2001). Represented Discovery Channel Stores in a patent and patent design infringement case.

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QPSX Developments 5 Pty Ltd v. Juniper Networks, et al., No. 05-268 (E.D.Tex. filed June 21, 2005). Representation of a defendant in this patent infringement litigation as co-counsel.

Richter Gideon Pharmaceutical Co. v. Carlsbad Tech. Inc. et al., No. 01-4531 (E.D.N.Y. filed July 6, 2001). Represented Carlsbad Technology Inc. and Andrx Pharmaceutical Co. against Richter Gideon Pharmaceutical Co. for patent infringement, which involved famotidine.

Sean Moore v. Moen, Inc., et al., No. 05-1267 (S.D.Tex. filed Apr. 14, 2005). Secured summary judgment of non-infringement of design and utility patents covering curved shower rods.

SecureInfo Corporation v. Telos Corporation et al., No. 05-505 (E.D.Va. filed May 6, 2005). Represented the trade secret holder in a software case involving trade secret misappropriation and copyright and patent infringement.

Shanghai Meihao Electric Inc. v. Leviton Manufacturing Co., No. 03-2137 (D.Md. filed July 23, 2003). Represented Shanghai Meihao Electric Inc. against Leviton Manufacturing Co. for patent infringement, which involved ground fault circuit interrupters.

Staktek Group LP v. Infineon AG, No. 03-219 (W.D.Tex. filed Apr. 8, 2003). Represented Staktek in an action involving patent infringement, trade secret misappropriation and other claims in stacking technologies.

Stambler v. JP Morgan Chase, et al., No. 2:08-cv-204 (E.D. Tex. filed May 12, 2008). Represented Compass Bank, Compass Bancshares, Inc., First Tennessee Bank National Association, and First Horizon National Corporation in this patent infringement litigation involving authentication procedures for transactions.

Stambler v. Merrill Lynch & Co., Inc. et al., No. 2:08-cv-462 (E.D. Tex. filed Dec. 4, 2008). Represented Colonial Bank, The Colonial Bancgroup, Inc., Sterling Bank, and Sterling Bancshares, Inc. in this patent infringement litigation involving authentication procedures for transactions.

Summit Tools v. Danaher, et al., No. 03-462 (E.D.Tex. filed Dec. 2, 2003). Represented Danaher in trademark litigation.

Technical Witts, Inc. v. Skynet Electronic Co., Ltd., Skynet Electronic Corp., No. 04-2025 (D.Ariz. filed Sept. 27, 2004). Representation of the defendant in this patent infringement action relating to power converters.

Tempur-Pedic, Inc. v. Angelbeds.com, No. 05-1115 (E.D.Wis. filed Oct. 19, 2005). Trademark case against firm client transferred from E.D.Wis. to W.D.Tex.

Tesco Corp. v. FDS, Inc., No. 07-435 (N.D.Tex. filed Mar. 9, 2007). We represent the patentee in this recently filed infringement suit.

Umbra Inc. v. Discovery Channel Stores et al., No. 02-149 (E.D.Mo. filed Jan. 28, 2002). Represented Discovery Channel Stores in a patent case involving water misters.

Universal Communications Inc. v. American Express, No. 01-4882 (S.D.N.Y. filed June 4, 2002) and USPTO. Represented American Express in trademark opposition proceedings that settled favorably for our client.

Varco IP, Inc. v. Tesco Corp., No. 05-634 (W.D.La. filed Apr. 11, 2005). Transferred patent infringement case against firm client to more favorable venue.

Varco IP, Inc. v. Tesco Corp., No. 05-2118 (S.D.Tex. filed June 17, 2005) and USPTO. Infringement suit against a firm client has been stayed pending resolution of *Inter Partes* Reexamination request we filed of patent in suit, in which all claims at issue have been held invalid.