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Texas Jury Says Asus Infringed Video Color Control Patent

By **Rachel Scharf**

Law360 (May 24, 2021, 5:04 PM EDT) -- Asus was hit with an \$825,000 patent verdict Friday after a five-day Texas federal jury trial on claims that computer monitors and projectors produced by the Taiwan-based electronics giant used stolen color-control technology.

The jury found that Asus, known officially as Asustek Computer Inc., infringed Dallas-based Lone Star Technological Innovations LLC's patent on technology that allows users to control the saturation and hue of colors in real-time digital video images. The jury also rejected Asus' opposing claims that Lone Star's patent was invalid or unenforceable.

Court records show that Lone Star and Asus began a jury trial before U.S. District Judge Robert W. Schroeder III on May 17. The jury came back with a verdict in Lone Star's favor after roughly two-and-a-half hours of deliberation on Friday.

The patent dispute dates back to February 2019, when Lone Star filed suit alleging that Asus' computer monitors and LED projectors infringed two of its patents covering methods for controlling video imaging colors. Lone Star said the two patents, U.S. Patent Nos. 6,724,435 and 6,122,012, were issued in 2004 and 2000, respectively.

"Based on information and belief, defendant's infringing devices contain hardware components which specifically provide the ability to change the hue and/or saturation of an individual color in the output image," Lone Star said in the complaint. "Defendant's manufacture, sale, offer for sale, and/or distribution of devices that selectively change the hue and/or saturation of an individual color in the output image in an infringing manner directly infringe one or more claims of the '435 and '012 patents."

Lone Star dropped all claims related to the '012 patent in a September 2019 amended complaint, but proceeded with allegations that Asus had infringed its '435 patent.

Judge Schroeder partly granted a dismissal bid from Asus in January 2020, trimming Lone Star's joint infringement claims while keeping its allegations of direct, induced and contributory infringement intact.

Asus then fired back with counterclaims against Lone Star later that month, asking Judge Schroeder to issue a declaratory judgment that it hadn't infringed the '435 patent and to invalidate the patent's claims.

"Asus denies that any products sold, offered for sale, made, and/or used by Asus infringe any valid claim of the patent-in-suit," the company wrote. "Asus asserts that the claims of the patent-in-suit are invalid and/or unenforceable "

The lawsuit had also been consolidated in October 2019 with another patent case over the same color-control technology that Lone Star lobbed against Belgian projector company Barco NV. Barco reached an undisclosed settlement with Lone Star to exit the dispute ahead of trial this past January, court records show.

Counsel for Lone Star and Asus did not respond to requests for comment Monday.

The patent-in-suit is U.S. Patent No. 6,724,435.

Lone Star is represented by Bradley David Liddle, Joshua James Bennett and Monica Frances Litle of Carter Arnett PLLC, Dorothy Abzanka Culham and Laura Maninger of Deans Stepp Law LLP, John Alexander Lee of Banie & Ishimoto LLP, John David Saba Jr. of Wittliff Cutter PLLC and Minghui Yang of DiNovo Price Ellwanger & Hardy LLP.

Asus is represented by Vinay Vijay Joshi, Michael C. Ting and Andrew T. Oliver of Amin Turocy & Watson LLP.

The case is Lone Star Technological Innovations LLC v. Asus Computer International et al., case number 6:19-cv-00059, in the U.S. District Court for the Eastern District of Texas.

--Editing by Michael Watanabe.

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