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Best Buy Slapped With Patent Suit Over Clip-On Light

By **Ben James**

Law360, New York (April 18, 2011) -- Good Sportsman Marketing LLC filed a lawsuit in Texas on Friday accusing Best Buy Co. Inc. of infringing a design patent by selling a clip-on light for e-readers.

Patent owner IP Holdings Inc. and exclusive licensee Good Sportsman filed their complaint in the U.S. District Court for the Eastern District of Texas, naming Best Buy Co., Best Buy Stores LP and Best Buy.com LLC as defendants.

The complaint centers on the Rocketfish e-reader clip-on light-emitting diode light, and says the defendants have infringed a patent issued in 2004 by selling and/or making or importing the device.

The clip-on light sold by Best Buy "bears a striking resemblance" to the design that's covered by the patent-in-suit, Buether Joe & Carpenter LLC's Eric Buether, an attorney for the plaintiffs, told Law360 on Monday.

Good Sportsman makes products for hunters and outdoor enthusiasts, including motion-detecting cameras, laser sights and lighting products. Even though the clip-on light sold by Best Buy is marketed for use with e-readers, Good Sportsman competes with Best Buy, Buether said, adding that a user decides how to utilize a clip-on light.

Good Sportsman and IP Holdings — both of which are based in Grand Prairie, Texas — asked the court to order Best Buy to pull the allegedly infringing lights from distribution and turn them over to the plaintiffs to be destroyed. The plaintiffs also asked that Best Buy be ordered to withdraw or destroy all advertisements referring to the accused product.

Unless the court intervenes, the defendants will keep infringing the patent-at-issue, causing the plaintiffs "irreparable injury and damage."

The complaint also seeks damages with interest and attorneys' fees.

The patent-in-suit is U.S. Design Patent Number D498,322.

In August 2007, Good Sportsman and IP Holdings asserted the same patent against Toy Island (USA) Inc. in another suit, also in the U.S. District Court for the Eastern District of Texas.

That case ended up settling, and was dismissed in September.

According to the PACER docketing system, the suit filed Friday is the only patent case Good

Sportsman has pending in U.S. district court.

A Best Buy spokesman declined to comment on Monday, citing a policy of not discussing ongoing litigation.

Good Sportsman and IP Holdings are represented in their case against Best Buy by Buether Joe & Carpenter LLC.

The case is Good Sportsman Marketing LLC et al. v. Best Buy Co Inc et al., case number 6:11-cv-00188, in the U.S. District Court for the Eastern District of Texas.

--Editing by Jonathan Jacobson.

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