

## PhoneTel takes on giants—and wins

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By **Peggie Evans**, [LocalBusiness.com](http://LocalBusiness.com)

FORT WORTH, May 22 (LocalBusiness.com) – If you're in the computer, software or telecommunications business and haven't been sued by PhoneTel Communications Inc. for patent infringement, it may be just a matter of time.

The company has raked in tens of millions of dollars in recent years in settlements and by licensing its patents to giants such as AT&T, IBM, Sony, Lucent Technologies, Southwestern Bell, Sony, IBM, Dell Computer, Northern Telecom and dozens of smaller companies, according to PhoneTel officials.

It has suits pending against Apple, Packard Bell, Sprint, Sega, Nintendo and North American Trading Corp., the maker of Bell South answering machines, and numerous other companies, charging patent violations on multiple products.

Fort Worth-based PhoneTel claims the companies are violating the patents it now owns that were patented by the late Japanese inventor Dr. Kazuo Hashimoto. The prolific inventor is said to have filed more than 1,000 patents on such staples of technology as the telephone answering machine, digital answering devices, fax machines, pagers, voice synthesizing for telephone outgoing messages, telephone equipment with cordless and remove features, and on hundreds of other products.

PhoneTel was formed in 1996 by Hashimoto's widow, Takako Hashimoto, and his protégé, Daniel Henderson, to protect the inventor's patents. PhoneTel claims to own 200 of the patents.

Hashimoto, who lived in San Francisco, died of cancer at 74 in 1995. PhoneTel has donated some of Hashimoto's earliest inventions to the Smithsonian.

PhoneTel has obtained settlements against more than 40 companies it has sued for patent infringement, said the company's lawyer, Jonathan Suder of Friedman, Young Suder & Cooke in Fort Worth. "It's been good," Suder said.

"The settlements have been well into seven figures," Suder said. A statement issued by PhoneTel said the company has "netted tens of millions of dollars in settlements."

"I am fulfilling a promise I made to Dr. Hashimoto that he would be remembered and patents respected," Henderson said in the prepared statement.

The first suit dates to 1995, when Hashimoto was still alive and he took on AT&T for patent infringement, with AT&T ultimately settling the case, Suder said.

A pending lawsuit filed in January against Yamaha, Apple, Packard Bell, Nintendo, Sega and 12 other companies charges violations of Hashimoto's patents on digital synthesizers, personal computers, sound cards and console game systems containing keyboard or video-game technology. Officials for Voyetra Turtle Beach Inc., one of the companies named in the suit, declined comment on the lawsuit.

At least two other lawsuits are pending against other companies, and Suder said more lawsuits may be filed.

When will the suits stop? "I don't know," Suder said. He said companies, knowingly or unknowingly, continue to infringe on the patents.

None of the cases have gone to trial due to settlement agreements, Suder said. PhoneTel has been forced to drop some cases because of questions about continued ownership of some patents, he said.

PhoneTel is suing, for malpractice, two of Hashimoto's former lawyers on the East Coast for allegedly letting some patents expire prematurely, Suder said.

PhoneTel also is gaining ownership to patents other than those filed by Hashimoto. In settling some lawsuits, some companies have given PhoneTel ownership of patents they own but no longer want in lieu of paying all cash in the settlement deals. Violation of those PhoneTel patents by other companies may also be fodder for lawsuits, Suder said.

Last year, Takako Hashimoto set up the Hashimoto Endowment Fund at the New Jersey Institute of Technology to provide students with engineering scholarships in memory of her husband. PhoneTel contributes a portion of the proceeds it gets from its lawsuit settlements to the endowment fund, PhoneTel officials said.

*Peggie Evans covers the Dallas region for LocalBusiness.com. E-mail her with story ideas or comments.*