

Inadmissible

and unmarried, not have sex with any person other than a spouse. At a May 26 sentencing hearing, Anderson told Schmitz that he was being sent "back to the 19th century." Under a plea bargain, Schmitz received a two-year term in a state jail for the unauthorized videotaping and 10 years' probation for the charge of sexual performance by a child. Schmitz will serve his time in state jail before he begins the probated term. Anderson says the conditions he set are tied to the allegations against Schmitz and are meant to keep a check on Schmitz while he is on probation. Another condition that Anderson set requires Schmitz to serve seven days a year in jail during the probated term. Austin criminal-defense lawyer **Joe Turner**, who represents Schmitz, says the conditions are unusual. "If [Schmitz] follows all these things, he might as well be a monk," Turner says. But Turner says he believes Anderson is just trying to assure that Schmitz successfully completes probation. "To tell you the truth, I'm not critical of it," Turner says. "I truly do believe that [Anderson] wants this guy to succeed."

Honoring Justice

The **University of Texas School of Law** recently established the William Wayne Justice Center for Public Interest Law

in honor of a judge who has dedicated more than 50 years of his life to public service and equal justice. **Bill Powers**, dean of the law school, says, "Judge **William Wayne Justice** has been and is one of the great courageous judges of our time. We are honored to have his name associated with our law school, especially in a way that will support public interest law." Eden Harrington, director of the center, says an endowment established in the name of Justice, now a senior judge for the Western District in Austin, has received more than \$1 million in gifts and pledges. "The mission of the center is to educate all of our students about the need to increase access to justice and the rewards of engaging



TOM CALVINS

JUSTICE

in pro bono, public service and public interest law as part of their careers," Harrington says.

Lighting It Up

A team of lawyers from Dallas' **Vinson & Elkins** prevailed on May 27 after a 13-day intellectual property trial, winning a defense victory on behalf of a Pennsylvania company accused of infringing on a patent for a dimmer system. Dallas-based Genlyte Controls sued Lutron Electronics Co. alleging the company copied Genlyte's dimmer system, which is used to control lighting in high-end houses, hotels and football stadiums. "The theory of our case was that they failed; they obtained a copy of our product and our patent, and they copied," says **George P. McAndrews**, a partner in Chicago's **McAndrews, Held & Malloy** who represented parent company Genlyte Thomas Group in the suit. But a jury in U.S. District Judge **Ed Kinkeade's** Dallas court determined that Lutron did not infringe on the patent, and that Genlyte's patent was invalid. The ruling likely staved off a potential damage hit of \$178 million, says **Bill Sims**, a V&E partner who represents Lutron. Defense experts included two former U.S. Patent and Trademark Office commissioners and two Massachusetts Institute of Technology professors. "We claimed through our own engineers and through the patent commissioners that our products were different and they weren't covered by the patent," Sims says. "We covered that Bill Gates uses our product, and our product is in the Oval Office." But *Genlyte Thomas Group v. Lutron Electronics* isn't over yet. Lutron also alleged in its affirmative defense filed as part of its response that Genlyte engaged in inequitable conduct, a nonjury question that Kincaid may consider in the coming weeks. "We vigorously disagree" with the allegation, McAndrews says.

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