

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TEXAS, MARSHALL DIVISION

General Access Solutions, Ltd. v. T-Mobile USA, Inc.; Ericsson Inc.

General Access Solutions · No. 2:23-CV-00158-JRG · Decided March 25, 2026

SUMMARY

The United States District Court for the Eastern District of Texas denies General Access Solutions, Ltd.’s motion for a new trial under Federal Rule of Civil Procedure 59 concerning alleged infringement of U.S. Patent No. 6,947,477. The court holds that the plaintiff waived its challenges to the defendants’ infringement theories and failed to show unfair prejudice, harmful error, or that the jury’s non-infringement verdict was against the great weight of the evidence.

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas, Marshall Division
WRITING FOR THE COURT	Rodney Gilstrap
JURISDICTION	United States District Court for the Eastern District of Texas, Marshall Division
DECIDED	March 25, 2026
DOCKET	2:23-CV-00158-JRG
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 59 for a new trial on infringement of U.S. Patent No. 6,947,477 and resulting damages after a jury found that defendants did not infringe the asserted claims.
STANDARD OF REVIEW	A new trial under Rule 59 may be granted only when prejudicial error has entered the record, substantial justice has not been done, or the verdict is against the great, rather than merely the greater, weight of the evidence. The moving party bears the burden of showing harmful error, and errors that do not affect substantial rights must be disregarded.
PRECEDENTIAL VALUE	Unknown; memorandum opinion and order from a federal district court

TOPICS

motion for new trial

patent infringement

patent law

waiver

civil procedure

PRACTICE AREAS

civil procedure

patent litigation

post-trial motions

QUESTIONS PRESENTED

1. Whether defendants' trial presentation of the meaning of "collectively representative" and their equalization-weights non-infringement theory was unfair, prejudicial, or an undisclosed claim-construction theory warranting a new trial.
2. Whether GAS waived its challenge to the alleged trial errors by failing to make timely objections and by waiting until post-verdict briefing to raise the claim-construction issue.
3. Whether the jury's non-infringement verdict was against the great weight of the evidence.
4. Whether GAS was entitled to a new trial despite failing to raise non-infringement as a basis for judgment as a matter of law under Rule 50(a).

HOLDINGS

1. GAS waived its challenge to the allegedly new claim-construction and non-infringement theory by failing to timely object and by raising the issue for the first time after the jury returned its verdict.
2. Even absent waiver, GAS did not establish that defendants presented improper claim-construction opinions or that any alleged error caused the prejudice necessary to warrant a new trial.
3. The jury's non-infringement verdict was not against the great weight of the evidence, and GAS failed to show that a new trial was warranted.
4. GAS waived its ability to challenge the sufficiency of the infringement evidence by failing to raise non-infringement in its Rule 50(a) motion before the close of the evidence.

KEY QUOTATIONS

"courts do not grant new trials unless it is reasonably clear that prejudicial error has crept into the record or that substantial justice has not been done, and the burden of showing harmful error rests on the party seeking the new trial." (§ II)

"A motion for a new trial or to amend a judgment cannot be used to raise arguments which could, and should, have been made before the judgment issued." (§ III.A)

"The jury could reasonably conclude that "Mr. Faxér's discussion of instantaneous calculation of equalization weights applied to all accused Ericsson base stations."" (§ III.B)

FACTUAL BACKGROUND

General Access Solutions accused T-Mobile and Ericsson base stations of infringing claims 1, 3, and 6 of the '477 patent, which concerns wireless communication systems and requires parameters to be collectively representative of communication over a channel. The parties did not seek claim construction of the term "collectively representative." Defendants argued that certain equalization weights were recalculated rather than stored and reused, and GAS's own expert agreed during cross-examination that infringement required stored and reused equalization weights. The jury found no infringement of any asserted claim.

PROCEDURAL HISTORY

At trial, General Access Solutions accused T-Mobile and Ericsson of infringing claims 1, 3, and 6 of the '477 patent. The jury found none of the asserted claims infringed. GAS then moved for a new trial, arguing that defendants presented unfair and undisclosed non-infringement theories and that the verdict was against the great weight of the evidence. The district court denied the motion in all respects.

DISPOSITION

other

CASES CITED

- Metaswitch Networks Ltd. v. Genband US LLC, No. 2:14-cv-00744-JRG, 2017 WL 3704760, at *2 (E.D. Tex. Aug. 28, 2017)
- Erfindergemeinschaft UroPep GbR v. Eli Lilly & Co., 276 F. Supp. 3d 629, 643 (E.D. Tex. 2017)
- Smith v. Transworld Drilling Co., 773 F.2d 610, 612-13 (5th Cir. 1985)
- Laxton v. Gap Inc., 333 F.3d 572, 586 (5th Cir. 2003)
- Garriott v. NCsoft Corp., 661 F.3d 243, 248 (5th Cir. 2011)
- Wi-LAN Inc. v. HTC Corp., 2014 U.S. Dist. LEXIS 45819, at *26 (E.D. Tex. Apr. 2, 2014)
- Hewlett-Packard Co. v. Mustek Sys. Inc., 340 F.3d 1314, 1320 (Fed. Cir. 2003)
- ATEN Int'l, 932 F.3d at 1370
- Paice LLC v. Toyota Motor Corp., 2006 U.S. Dist. LEXIS 61603, at *3-5 (E.D. Tex. Aug. 16, 2006)
- Perdue v. Nissan Motor Co., 2009 WL 2460988, at *1 (E.D. Tex. Aug. 10, 2009)

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