



Preliminary Injunction Motion Filed Against Ford's 2005 Mustang

A preliminary injunction motion has been filed in the federal patent infringement case against Ford's 2005 Mustang. The motion seeks an injunction prohibiting "Ford's continued manufacture, offering for sale, and sale of 2005 model year Mustang automobiles with the "MyColor" instrument panel lighting feature."

Los Angeles, CA ([PRWEB](#)) January 19, 2005 -- A motion for preliminary injunction was filed today in the patent infringement case against Ford's 2005 Mustang currently pending in the U.S. District Court for the Central District of California as Civil Action No. CV-04-08630 CBM (SHx). The motion, filed by the patent owner Frank Weyer, seeks an order from the Court enjoining "Ford, and its officers, agents, servants, employees, attorneys, and all those in active concert with Ford" from "making, using, selling, or offering to sell the 2005 model year Mustang automobiles with the "MyColor" feature.

The "MyColor" feature is an option available on 2005 Mustangs that allows the driver to change the color of the instrument panel lighting. Ford calls the "MyColor" feature "the industry's first driver-configurable instrument panel lighting that lets you choose from 125 colors." According to the preliminary injunction motion, the 2005 Mustang's "MyColor" feature infringes U.S. Patent No. 5,975,728 issued to Weyer on Nov. 2, 1999 for "Method and Apparatus for Providing User Selectable Multi-Color Automobile Instrument Panel Illumination."

The "MyColor" feature is part of the "Interior Upgrade Package" sold by Ford for the 2005 Mustang. According to reports from Mustang enthusiast websites, 80% of buyers of the 2005 Mustang are ordering the Interior Upgrade Package.

Numerous buyers are complaining, however, that their orders for Mustang's with the Interior Upgrade Package are being delayed by Ford, without explanation. Several have contacted Weyer by e-mail, anxious about their orders and asking whether Ford has made any effort to settle the patent issue so that they can take delivery of their Mustangs.

"All that Ford has done so far," Weyer says, "is ask for more time to answer the complaint." Weyer has had only one conversation with Ford's attorneys, shortly after the complaint was filed. "I told them that all that I was seeking was a very reasonable royalty for their use of the patent," Weyer says. "It is my understanding that Ford charges around \$750 for Interior Upgrade Package as a whole, and the MyColor feature accounts for probably half of that. At a 10% royalty, that would be approximately \$4 for each Interior Upgrade Package sold. I'm surprised the Ford is making its customers, who have paid \$25,000 to \$30,000 for their new Mustangs, wait rather than pay a mere \$4 for a patent license."

The hearing for the preliminary injunction motion has been set for February 28, 2005.

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