



# News Release

## Tannenbaum Helpers secures patent infringement win for Hypoxico

**New York, NY, February 21, 2012** — In a patent infringement suit on behalf of Hypoxico Inc., Tannenbaum Helpers and The Law Offices of Roger S. Thompson are pleased to announce that a jury found in favor of Hypoxico and granted significant damages against the defendant, Colorado Altitude Training LLC (CAT). [*Hypoxico Inc v. Colorado Altitude Training LLC, Civ No. 02cv6191 (TPG)*]

In a jury trial that lasted two weeks in Federal Court in New York, the jury found that tent products sold by CAT over the last decade infringed two Hypoxico patents covering systems that provide hypoxic (low oxygen) environments that simulate high altitude.

Tannenbaum Helpers entered the dispute during the summer of 2011 after the Court ordered a second trial following a successful jury trial in 2009. Representing Hypoxico on the second trial were **Alan Tenenbaum**, a partner in Tannenbaum Helpers's growing Intellectual Property department, and **Roger S. Thompson** of The Law Offices of Roger S. Thompson, who had represented Hypoxico on the initial trial and was co-counsel on the second trial.

"This is a complete vindication for Hypoxico," said Tenenbaum. "It has now proven before two separate juries that Hypoxico's patents were infringed by CAT." "It was quite gratifying to prevail after a long trial against a well-known litigation firm," added Thompson.

"We are pleased with the outcome," noted **Brian Oestrike**, CEO of Hypoxico. "CAT tried every trick in the book to delay the proceedings and avoid liability for patent infringement. It was invaluable to have legal counsel with technical expertise, knowledge of patent law, and extensive trial experience, as they understood the issues and were able to present strong evidence in a coherent manner to the jury."

Hypoxico Inc. was founded in 1995 by inventor and scientist Igor (Gary) Kotliar. It designs, manufactures and installs a wide variety of simulated altitude training systems and owns numerous patents concerning the technology. Its products are renowned among and used by elite athletes and trainers worldwide.

### [About Tannenbaum Helpers Syracuse & Hirschtritt LLP](#)

Since 1978, Tannenbaum Helpers Syracuse & Hirschtritt LLP has combined a powerful mix of insight, creativity, industry knowledge, senior talent and transaction expertise to successfully guide clients through periods of challenge and opportunity. Our mission is to deliver the highest quality legal services in a practical and efficient manner, bringing to bear the judgment, common sense and expertise of well trained, business minded lawyers. Through our commitment to service and successful results, Tannenbaum Helpers continues to earn the loyalty of our clients and a reputation for excellence. For more information, visit [www.thsh.com](http://www.thsh.com).

### About The Law Offices of Roger S. Thompson

Roger Thompson has been a practicing intellectual property specialist since 1978, and works exclusively in the field of Intellectual Property, litigation, transactional and prosecution. For more information, visit [www.thompson-ip.com](http://www.thompson-ip.com)

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