

1 GREGORY S. TAMKIN (State Bar No. 175009)  
CASE COLLARD (State Bar No. 245834)  
2 DORSEY & WHITNEY LLP  
1400 Wewatta Street, Suite 400  
3 Denver, CO 80202-5549  
4 Telephone: (303) 629-3400  
Facsimile: (303) 629-3450  
5 Email: tamkin.greg@dorsey.com  
Email: collard.case@dorsey.com  
6

7 Attorneys for Plaintiff Solannex, Inc.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 SOLANNEX, INC.,

12 Plaintiff,

13 v.

14 MIASOLÉ, INC.,

15 Defendant.  
16

**FILED**

FEB 21 2012

RICHARD J. ...  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

*See pmf*  
\$  
830

Case No. **CV 12-00832**

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

**FILE BY FAX**

17 Plaintiff Solannex, Inc. ("Plaintiff" or "Solannex"), for its complaint against MiaSolé, Inc.  
18 ("Defendant" or "MiaSolé"), alleges as follows.

19 **THE PARTIES**

- 20 1. Plaintiff Solannex is a corporation organized under the laws of Delaware having its  
21 principal place of business at 17161 Copper Hill Drive, Morgan Hill, CA 95037.
- 22 2. Defendant, MiaSolé, on information and belief, is a corporation organized under the  
23 laws of the State of California and has a principal place of business at 2590 Walsh Ave., Santa  
24 Clara, CA 95051. MiaSolé may be served through its registered agent, Rachel Paris at 2000  
25 University Ave., East Palo Alto, CA 94303.

26 **JURISDICTION & VENUE**

- 27 3. This is an action for infringement of a United States patent. Accordingly, this action  
28 arises under the patent laws of the United States of America, 35 U.S.C. § 1 et seq., and jurisdiction

1 is properly based on 35 U.S.C. § 271 and 28 U.S.C. § 1338(a).

2 4. Venue is proper in this district under 28 U.S.C. §§ 1391(b-c) and 1400(b). Upon  
3 information and belief, MiaSolé transacts or has transacted business in this judicial district, or  
4 committed acts of patent infringement in this district. Plaintiff Solannex has a principal place of  
5 business in this judicial district.

6 **INTRADISTRICT ASSIGNMENT**

7 5. Since this is a civil action, the matter is subject to district-wide assignment under  
8 Civil L.R. 3-2(c).

9 **FIRST CAUSE OF ACTION – PATENT INFRINGEMENT**

10 6. Plaintiff incorporates by reference the allegations of paragraphs 1-5 of this  
11 Complaint, as though set forth fully herein.

12 7. On December 13, 2011, United States Patent No. 8,076,568 (“the ‘568 patent”)  
13 entitled “Collector Grid and Interconnect Structures for Photovoltaic Array and Modules” was duly  
14 and legally issued. It is assigned to Solannex. The ‘568 patent, in general, relates to interconnections  
15 of multiple photovoltaic cells. A copy of the ‘568 patent is attached as Exhibit A.

16 8. Pursuant to 35 U.S.C. § 282, the ‘568 patent is presumed valid.

17 9. MiaSolé, on information and belief, manufactures, uses, and sells photovoltaic  
18 modules,<sup>1</sup> including but not limited to the MR-series (MR-100, MR-107, and MR-111) and the MS-  
19 series (MS120GG, MS125GG, MS130GG, MS135GG, and MS140GG), that infringe at least claims  
20 1-34 and 38 of the ‘568 patent. By manufacturing, using and/or selling such products, MiaSolé has  
21 infringed and continues to infringe at least claims 1-34 and 38 of the ‘568 patent, either literally or  
22 under the doctrine of equivalents.

23 10. Accordingly, MiaSolé’s acts of infringement of the ‘568 patent, as alleged above,  
24 have injured Solannex and thus, Solannex is entitled to recover damages adequate to compensate it  
25 for MiaSolé’s acts of infringement, which in no event can be less than a reasonable royalty.

26 **SECOND CAUSE OF ACTION – PATENT INFRINGEMENT**

27 11. Plaintiff incorporates by reference the allegations of paragraphs 1-10 of this  
28

---

<sup>1</sup> <http://www.miasole.com/products>

1 Complaint, as though set forth fully herein.

2 12. On February 7,2012, United States Patent No. 8,110,737 (“the ‘737 patent”) entitled  
3 “Collector Grid, Electrode Structures and Interconnect Structures for Photovoltaic Arrays and  
4 Methods of Manufacture” was duly and legally issued. It is assigned to Solannex. The ‘737 patent,  
5 in general, relates to interconnections of multiple photovoltaic cells. A copy of the ‘737 patent is  
6 attached as Exhibit B.

7 13. Pursuant to 35 U.S.C. § 282, the ‘737 patent is presumed valid.

8 14. MiaSolé, on information and belief, manufactures, uses, and sells photovoltaic  
9 modules<sup>1</sup>, including but not limited to the MR-series (MR-100, MR-107, and MR-111) and the MS-  
10 series (MS120GG, MS125GG, MS130GG, MS135GG, and MS140GG), that infringe at least claims  
11 1-8, 11-13, 16-20, and 23-29 of the ‘737 patent. By manufacturing, using and/or selling such  
12 products, MiaSolé has infringed and continues to infringe at least claims 1-8, 11-13, 16-20, and 23-  
13 29 of the ‘737 patent, either literally or under the doctrine of equivalents.

14 15. Accordingly, MiaSolé’s acts of infringement of the ‘737 patent, as alleged above,  
15 have injured Solannex and thus, Solannex is entitled to recover damages adequate to compensate it  
16 for MiaSolé’s acts of infringement, which in no event can be less than a reasonable royalty.

17 **PRAYER FOR RELIEF**

18 WHEREFORE, Plaintiff prays for entry of judgment:

19 A. that MiaSolé has infringed one or more claims of the ‘568 patent;

20 B. that MiaSolé accounts for and pays to Solannex all damages caused by the past  
21 infringement of the ‘568 patent, which by statute can be no less than a reasonable royalty;

22 C. that a permanent injunction enjoins MiaSolé and their officers, directors, agent,  
23 servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in  
24 active concert therewith from infringing the ‘568 patent;

25 D. that Solannex be granted pre-judgment and post-judgment interest on the damages  
26 caused to them by reason of MiaSolé’s infringement of the ‘568 patent;

27 E. that MiaSolé has infringed one or more claims of the ‘737 patent;

28 F. that MiaSolé accounts for and pays to Solannex all damages caused by the past

1 infringement of the '737 patent, which by statute can be no less than a reasonable royalty;

2 G. that a permanent injunction enjoins MiaSolé and their officers, directors, agent,  
3 servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in  
4 active concert therewith from infringing the '737 patent;

5 H. that Solannex be granted pre-judgment and post-judgment interest on the damages  
6 caused to them by reason of MiaSolé's infringement of the '737 patent;

7 I. that Solannex be granted its attorneys' fees in this action pursuant to 35 U.S.C. 285;

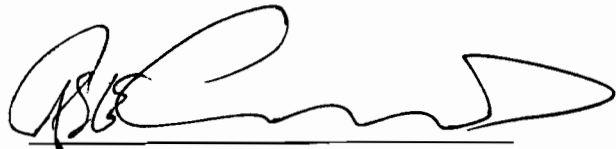
8 J. that costs be awarded to Solannex;

9 K. that Solannex be granted such other and further relief as the Court may deem just and  
10 proper under the current circumstances.

11 **JURY DEMAND**

12 Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff Solannex, Inc.  
13 hereby demands a trial by jury for all issues so triable.

14  
15 Dated: February 21, 2012.



16  
17 Gregory S. Tamkin  
18 Case Collard  
19 DORSEY & WHITNEY, LLP  
20 Email: tamkin.greg@dorsey.com  
21 Email: collard.case@dorsey.com  
22 1400 Wewatta Street, Suite 400  
23 Denver, CO 80202-5549  
24 Telephone: (303) 629-3400  
25 Facsimile: (303) 629-3450  
26 *Attorneys for Plaintiff Solannex, Inc.*