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Attorneys for Plaintiff LIGHTING SCIENCE
GROUP CORPORATION

FILED
12 JUN 26 PM 3:55
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

CV12-05576 JFW(FMOX)

LIGHTING SCIENCE GROUP
CORPORATION, a Delaware
corporation,

Plaintiff,

vs.

ELECTRIC LIGHTING SCIENCE,
INC., a California corporation,
Defendant.

Case No.:

COMPLAINT FOR:

1. TRADEMARK INFRINGEMENT;
2. FALSE DESIGNATION OF ORIGIN;
3. COMMON LAW TRADEMARK INFRINGEMENT;
4. UNFAIR COMPETITION (BUSINESS AND PROFESSIONS CODE SECTION 17200);
5. COMMON LAW UNFAIR COMPETITION.

DEMAND FOR JURY TRIAL

Plaintiff, LIGHTING SCIENCE GROUP CORPORATION alleges:

1. This action arises under the Lanham Act, 15 USC Sections 1051-1127 and jurisdiction of this Court over the subject matter of this action is predicated on 15 USC Section 1121 and 28 USC Sections 1331 and 1338 and supplemental jurisdiction is predicated on 28 USC Section 1367.

2. Venue is proper in the Central District of California because a substantial part of the events or omissions giving rise to the claim occurred in this District.

1 3. Plaintiff LIGHTING SCIENCE GROUP CORPORATION (hereinafter
2 “LSG” or LIGHTING SCIENCE GROUP) is and at all times mentioned herein
3 was a corporation incorporated under the laws of the State of Delaware having its
4 principal place of business in Satellite Beach, Florida.

5 4. Defendant ELECTRONIC LIGHTING SCIENCE, INC. (hereinafter
6 “ELS”) is a corporation incorporated under the laws of the State of California,
7 having its principal place of business in Los Angeles, California.

8 5. Plaintiff LSG is a publicly traded company that designs, develops,
9 manufactures and markets LED lighting solutions that are environmentally
10 friendlier and more energy efficient than traditional lighting products. LSG offers
11 retrofit LED lamps in form factors that match those of traditional lamps or bulbs
12 and LED luminaires designed for a range of applications including public and
13 private infrastructure for both indoor and outdoor use. LSG's Advanced Projects
14 Group business unit designs, develops and manufactures custom LED lighting
15 solutions for architectural and artistic projects. LSG is headquartered in Satellite
16 Beach, Florida; the Company's European operations are based in Middelburg, The
17 Netherlands; and the Company has a sales office in Sydney, Australia. LSG
18 employs approximately 1000 workers building lighting products from domestic
19 and imported parts. LSG holds over 100 patents for lighting related products and
20 is a global leader in the creation and manufacture of LED-based lighting because it
21 pays attention to the quality of each and every material that goes into making its
22 indoor and outdoor commercial and architectural LED product line. LSG's
23 products are available nationwide including through The Home Depot, and have
24 won many awards.

25 6. In or about 2004, Plaintiff first adopted and used the term “Lighting
26 Science” to identify its patented and unpatented LED lighting and related products.
27 On or about June 25, 2004, Plaintiff first registered “Lighting Science” as its
28 trademark in the United States Patent and Trademark Office under United States

1 Registration No. 3121689 and has subsequently been awarded two additional
2 trademark registrations, Registration Nos. 3948258 and 3929071, all of which
3 remain in full force and effect. True and correct copies of plaintiff's Certificates of
4 Registration are attached hereto as Exhibit "A", "B" and "C" respectively and
5 incorporated herein by reference.

6 7. Plaintiff has used the trademark "Lighting Science" continuously since
7 2004 to identify plaintiff's goods and services, many of which are patented or have
8 patents pending. In this connection, plaintiff uses "Lighting Science" on its
9 advertising and promotional materials, on its website, on its proprietary materials,
10 operations manuals, and on the products themselves. A specimen which
11 incorporates the "Lighting Science" trademark as it appears is attached hereto as
12 Exhibit "D" and incorporated herein by reference.

13 8. Plaintiff's LED lighting fixtures, bulbs and products have been and
14 continue to be advertised and sold in interstate commerce under the trademark
15 "Lighting Science". By virtue of advertising and sales, together with consumer
16 and/or distributor acceptance and recognition of plaintiff's trademarks, the
17 trademarks identify plaintiff's products only and distinguishes them from any other
18 LED electronic lighting products manufactured and sold by others. Plaintiff's
19 "Lighting Science" marks have thus become and are very valuable assets
20 symbolizing plaintiff, the quality of its products and plaintiff's goodwill.

21 9. Plaintiff is informed and believes and based thereon alleges that on or
22 about October 4, 2010, defendant ELS began using the name "Electronic Lighting
23 Science" to manufacture, market and sell to the public and to distributors LED
24 lighting fixtures, bulbs and products similar to those sold by plaintiff.

25 10. From that date to the present, ELS has sold and continues to sell LED
26 lighting fixtures, bulbs and products similar to plaintiff's products using the name
27 "Electronic Lighting Science". It currently markets these products using the
28 phrase "Electronic Lighting Science LED Products".

1 11. Plaintiff has never given defendants permission to use the brand name
2 “Lighting Science.”

3 12. On March 13, 2012, and again on April 2, 2012, Plaintiff informed ELS
4 of the subject trademark registrations and demanded that ELS cease its use of the
5 name “Electronic Lighting Science” in connection with LED lighting products.

6 **FIRST CLAIM FOR TRADEMARK INFRINGEMENT**
7 **LANHAM ACT , 15. U.S.C. SECTION 1141(1) AND SECTION 43(a)**

8 13. Plaintiff incorporates by reference each and every allegation contained in
9 paragraphs 1 through 12 as though fully set forth herein.

10 14. At all times material hereto, defendant has had actual and constructive
11 notice of plaintiff’s ownership of the trade mark “Lighting Science” and its use in
12 connection with goods and services for its patented and unpatented LED lighting
13 products.

14 15. Plaintiff is informed and believes, and based thereon alleges, that
15 defendant has sold LED lighting products similar to those sold by Plaintiff but that
16 are not those manufactured and sold by plaintiff.

17 16. Plaintiff is further informed and believes, and based thereon alleges, that
18 defendant uses the name “Electronic Lighting Science” to market and sell its
19 products to distributors and individuals who believe they are buying products
20 developed and manufactured by plaintiff Lighting Science Group. Plaintiff is
21 further informed and believes, and based thereon alleges, that the use of the name
22 “Electronic Lighting Science” in connection with LED lighting products by
23 defendants in interstate commerce is likely to cause and has caused confusion,
24 mistake or deception among purchasers as to the source, quality and nature of
25 defendants’ goods, and that such actions were taken with the intent to deceive
26 purchasers.

27

28

1 17. Despite the fact that plaintiff has notified defendant of plaintiff's
2 trademarks and of the infringement and demanded that Defendant cease violating
3 the trademark, Defendant has expressly refused to comply with the request.

4 18. Plaintiff is informed and believes, and based thereon alleges, that as a
5 proximate result of the advantage accruing to defendants' business from plaintiff's
6 nationwide advertising, sales and consumer recognition and as a proximate result
7 of the confusion and deception and mistake caused by defendants' wrongful
8 advertising and sale of its coating system as herein above alleged, defendant has
9 made substantial sales and profits in an amount to be proven at trial.

10 19. As a proximate result of the advantage accruing to defendant's business
11 from plaintiff's nationwide advertising, sales and consumer recognition and as a
12 proximate result of the confusion and deception and mistake caused by defendant's
13 wrongful advertising and sale of its LED lighting products as herein above alleged,
14 plaintiff has been deprived of sales of its patented and unpatented products in an
15 amount to be proven at trial according to proof, and has been deprived of the value
16 of its trademark as a commercial asset in an amount to be proven at trial.

17 20. Plaintiff is informed and believes and thereon alleges that unless
18 restrained by the Court, defendant will continue to infringe upon plaintiff's
19 registered "Lighting Science" trademark, thus engendering a multiplicity of
20 judicial proceedings, and pecuniary compensation will not afford plaintiff adequate
21 relief for the damage to its trademark in the public perception.

22 **SECOND CLAIM FOR FALSE DESIGNATION OF ORIGIN**

23 **LANHAM ACT, 15. U.S.C. SECTION 43(a)**

24 21. Plaintiff incorporates by reference each and every allegation contained
25 in paragraphs 1 through 20 as though fully set forth herein.

26 22. Defendant's use of plaintiff's trade mark "Lighting Science" as
27 described herein constitutes a false designation of origin which is likely to deceive
28 and plaintiff is informed and believes, and on that basis alleges, that defendant has

1 deceived purchasers and prospective purchasers into believing that defendant's
2 LED lighting products are plaintiff's patented and unpatented products. As a
3 consequence, defendant is likely to divert and has diverted customers away from
4 the plaintiff.

5 23. Plaintiff has no control over the nature and quality of the LED lighting
6 products manufactured and sold by defendant. Any failure, neglect or default by
7 defendant in providing such products will reflect adversely on plaintiff as the
8 believed source of origin thereof, hampering efforts by plaintiff to continue to
9 protect its reputation for high quality products, resulting in loss of sales thereof and
10 considerable expenditures to promote plaintiff's LED lighting products under the
11 marks, all to the irreparable harm of plaintiff.

12 24. Plaintiff is informed and believes and thereon alleges that unless
13 restrained by the Court, defendant's false designation of origin will continue, thus
14 engendering a multiplicity of judicial proceedings, and pecuniary compensation
15 will not afford plaintiff adequate relief for the damage from such false designation
16 of origin by defendant.

17 **THIRD CLAIM FOR COMMON LAW TRADEMARK INFRINGEMENT**

18 25. Plaintiff incorporates by reference each and every allegation contained
19 in paragraphs 1 through 24 as though fully set forth herein.

20 26. Plaintiff owns and uses the "Lighting Science" trademarks in various
21 forms and styles in connection with the development, manufacture and licensure of
22 LED lighting products and related materials, manuals and advertising.

23 27. Plaintiff owns and enjoys common law rights in the State of California
24 and throughout the United States in and to the "Lighting Science" trademarks for
25 LED lighting products it has and continues to develop, which are superior to any
26 rights which defendant may claim in and to said trademarks in any form or style
27 with respect to any LED lighting products.

28

1 28. The defendant's use of the "Lighting Science" trademarks in connection
2 with the defendants' LED lighting products in the State of California and
3 elsewhere throughout the United States is likely to cause and has caused confusion
4 as to the source of defendant's products in that purchasers thereof will be likely to
5 associate or have associated such products with and as originating with plaintiff, all
6 to the detriment of plaintiff.

7 29. Plaintiff is informed and believes and thereon alleges that unless
8 restrained by the Court, defendant's common law trademark infringement will
9 continue, thus engendering a multiplicity of judicial proceedings, and pecuniary
10 compensation will not afford plaintiff adequate relief for the damage from such
11 common law trademark infringement by defendant.

12 **FOURTH CLAIM FOR UNFAIR COMPETITION**

13 **BUSINESS AND PROFESSIONS CODE SECTION 17200**

14 30. Plaintiff incorporates by reference each and every allegation contained
15 in paragraphs 1 through 29 as though fully set forth herein.

16 31. By engaging in the wrongful conduct hereinabove alleged, including but
17 not limited to the illicit use of plaintiff's trademarks, which has and will cause
18 great and irreparable damage to the reputation and good will of plaintiff, defendant
19 has engaged in acts that constitute unfair competition within the meaning of
20 California Business and Professions Code Section 17203. Plaintiff is informed and
21 believes that defendant will continue to do those acts unless the court orders the
22 defendant to cease and desist therefrom.

23 **FIFTH CLAIM FOR COMMON LAW UNFAIR COMPETITION**

24 32. Plaintiff incorporates by reference each and every allegation contained
25 in paragraphs 1 through 31 as though fully set forth herein.

26 33. By engaging in the wrongful conduct herein alleged, defendant has
27 engaged in common law unfair competition.

28

1 34. As a proximate result of the defendant's unfair competitive conduct,
2 plaintiff has suffered actual damages in an amount to be proven plus interest
3 thereon at the legal rate from at least October of 2010, more specifically according
4 to proof.

5 35. Plaintiff is informed and believes, and based thereon alleges, that the
6 aforementioned acts of defendant were willful and malicious in that defendant has
7 competed unfairly with the deliberate intent to injure plaintiff's business and
8 improve its own. Plaintiff is therefore entitled to punitive damages.

9 36. Plaintiff is informed and believes and thereon alleges that unless
10 restrained by the Court, defendant's wrongful conduct in competing unfairly with
11 plaintiff will continue, thus engendering a multiplicity of judicial proceedings, and
12 pecuniary compensation will not afford plaintiff adequate relief for the damage
13 from such unfair competition by defendant.

14 WHEREFORE, plaintiff LIGHTING SCIENCE GROUP CORPORATION
15 prays for judgment against defendant as follows:

16 As to the First Claim for Trademark Infringement and the Second Claim for
17 False Designation of Origin and the Third Claim for Common Law Trade Mark
18 Infringement:

- 19 1. For a temporary restraining order, a preliminary injunction and
20 permanent injunction all enjoining defendant, and its agents,
21 servants, employees and all persons acting under, in concert with
22 or for them from:
 - 23 a. Using the term "Lighting Science" in its name or in
24 connection with the marketing or sale of any LED or similar
25 lighting products and from using the name in such business;
 - 26 b. Holding itself out as owners of or otherwise authorized to
27 use the name and marks "Lighting Science".

1 c. Otherwise infringing plaintiff's "Lighting Science"
2 trademark;

3 d. Causing likelihood of confusion, deception or mistake as to
4 the source, nature or quality of defendant's LED lighting
5 products and as to the any affiliation between plaintiff and
6 defendant.

- 7 2. For an order requiring defendant to deliver up to plaintiff for
8 destruction all infringing products and materials, including
9 packaging, advertising and literature, products and equipment
10 bearing the infringing designations;
- 11 3. For all of defendant's profits derived from its infringement of
12 plaintiff's "Lighting Science" trademarks;
- 13 4. For three times the amount of plaintiff's actual damages caused by
14 defendant's infringement of plaintiff's "Lighting Science"
15 trademarks;
- 16 5. For plaintiff's reasonable attorney's fees expended in this action;

17 As to the Fourth Cause of Action for Statutory Unfair Competition:

- 18 6. For a temporary restraining order, a preliminary injunction and
19 permanent injunction enjoining defendant, and each of its agents,
20 servants, employees and all persons acting under, in concert with
21 or for them from continuing to falsely identify itself to the public
22 using the phrase "Lighting Science" and continuing to sell LED
23 lighting and related products using such false information;

24 As to the Fifth Cause of Action for Common Law Unfair Competition:

- 25 7. For general damages in excess of Seventy-five Thousand Dollars
26 (\$75,000.00), the exact amount of which has yet to be ascertained,
27 8. For special damages,
28 9. For punitive damages,

1 10. For a temporary restraining order, a preliminary injunction and
2 permanent injunction all enjoining defendant, and each of its
3 agents, servants, employees and all persons acting under, in
4 concert with or for it from continuing to falsely identify itself to
5 the public using the phrase "Lighting Science" and continuing to
6 sell LED lighting and related products using such false
7 information;

8 As to All Claims:

9 11. For costs of suit and such other and further relief as the Court
10 deems just.

11 Plaintiff demands a trial by jury in this action.

12
13 DATED: June 26, 2012
14 LLP

TURNER AUBERT & FRIEDMAN,


15
16 By: 
17 Jonathan M. Deer, Esq.
18 Attorneys for Plaintiff LIGHTING
19 SCIENCE GROUP CORPORATION
20
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Exhibit A

Int. Cl.: 11

Prior U.S. Cls.: 13, 21, 23, 31, and 34

United States Patent and Trademark Office

Reg. No. 3,121,689

Registered July 25, 2006

TRADEMARK
PRINCIPAL REGISTER

LIGHTING SCIENCE

LIGHTING SCIENCE GROUP CORPORATION
(DELAWARE CORPORATION)
2100 MCKINNEY AVENUE
SUITE 1555
DALLAS, TX 75201

FOR: LED (LIGHT EMITTING DIODE) LIGHT BULBS; ILLUMINATION SYSTEMS COMPRISED PRIMARILY OF LED LIGHT BULBS, LED LIGHT PODS, LED LAMPS, LED LAMPS AND THEIR FITTINGS, LED LIGHTING FIXTURES OR LED LUMINARIES, FOR USE IN ANY APPLICATION WHERE HIGHLY ENERGY EFFICIENT ILLUMINATION IS REQUIRED INCLUDING FOR USE IN DOMESTIC, CONSUMER, VEHICULAR, COMMERCIAL, MUNICIPAL, CIVIL AND MILITARY LIGHTING APPLICATIONS WHEREVER LOCATED INCLUDING TERRESTRIAL, SUBTERRANEAN,

UNDERWATER AND SPACE BASED ILLUMINATION SYSTEMS AND DEVICES, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 10-6-2004; IN COMMERCE 8-20-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LIGHTING", APART FROM THE MARK AS SHOWN.

SN 78-441,797, FILED 6-25-2004.

JASON LOTT, EXAMINING ATTORNEY

Exhibit B

United States of America

United States Patent and Trademark Office

LIGHTING SCIENCE

Reg. No. 3,948,258

Registered Apr. 19, 2011

Int. Cl.: 11

TRADEMARK

PRINCIPAL REGISTER

LIGHTING SCIENCE GROUP CORPORATION (DELAWARE CORPORATION)
1227 SOUTH PATRICK DRIVE
SATELLITE BEACH, FL 32937

FOR: LAMPS, LIGHT BULBS, LIGHTING FIXTURES AND LUMINAIRES USING LIGHT EMITTING DIODES AS THE LIGHT SOURCE, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 6-0-2004; IN COMMERCE 6-0-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,121,689.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LIGHTING", APART FROM THE MARK AS SHOWN.

SN 77-655,144, FILED 1-23-2009.

IRA J. GOODSaid, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

Exhibit C

United States of America

United States Patent and Trademark Office

LIGHTING SCIENCE

Reg. No. 3,929,071

LIGHTING SCIENCE GROUP CORPORATION (DELAWARE CORPORATION)
120 HANCOCK LANE
WESTAMPTON, NJ 08060

Registered Mar. 8, 2011

Int. Cls.: 37, 40, and 42

FOR: INSTALLATION OF CUSTOM LIGHTING DEVICES AND PROJECTS USING LIGHT EMITTING DIODES AS THE LIGHT SOURCE, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

SERVICE MARK

FIRST USE 1-0-2008; IN COMMERCE 1-0-2008.

PRINCIPAL REGISTER

FOR: CUSTOM MANUFACTURE OF LIGHTING DEVICES AND PROJECTS USING LIGHT EMITTING DIODES AS THE LIGHT SOURCE, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 1-0-2008; IN COMMERCE 1-0-2008.

FOR: DESIGN AND DEVELOPMENT OF CUSTOM LIGHTING DEVICES AND PROJECTS USING LIGHT EMITTING DIODES AS THE LIGHT SOURCE, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 1-0-2008; IN COMMERCE 1-0-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,121,689.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LIGHTING", APART FROM THE MARK AS SHOWN.

SN 77-655,155, FILED 1-23-2009.

IRA J. GOODSaid, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

Exhibit D

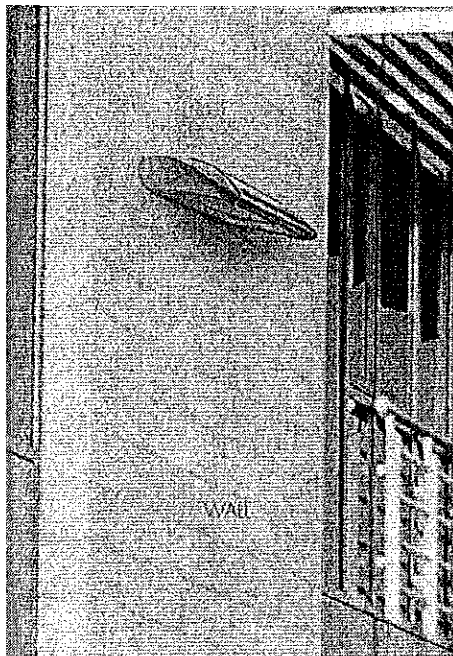
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FOREFRONT™ FAMILY



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HIGHBAY

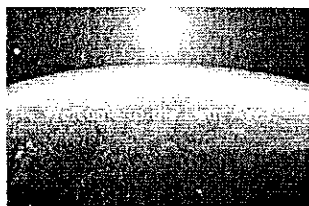


PEDESTRIAN

For more information about one of our FOREFRONT™ luminaires, click on a product image above.

In 'The News

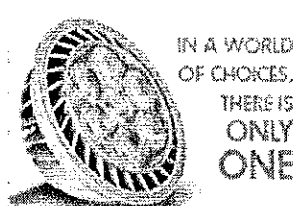
June 11-12 : Neo-Con Chicago



Manifesto Video



LSG Blog



Discover the Definity™ MR16 High Output lamp



Learn more about the Roadmaster™

Who We Are

Imagine the first time a light bulb ever went on: How it pierced the dark where before there had only been a flame. Over a hundred years later, the industry is still in the dark, but about to receive a wake up call. And we say not a moment too soon.

Rather than a company that has inventors, we are a group of inventors with a company. We also have a mission: nothing less than to change the World. We want quality of light to stop coming with compromise, and we're making it so.

In short, our light is brilliant even when it isn't on. So to our employees, friends and customers we say: get ready to see more than ever before.

Contact Us

Innovation Center
1227 South Patrick Dr. #2A
Satellite Beach, FL 32937-3969

Phone: 321.779.5520
E-mail: customersupport@lsgc.com

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge John F. Walter and the assigned discovery Magistrate Judge is Fernando M. Olguin.

The case number on all documents filed with the Court should read as follows:

CV12- 5576 JFW (FMOx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Name & Address:
Jonathan M. Deer SBN 164837
TURNER AUBERT & FRIEDMAN, LLP
8383 WILSHIRE BLVD. SUITE 510 ,
BEVERLY HILLS CA 90211

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LIGHTING SCIENCE GROUP CORPORATION, A
Delaware Corporation, plaintiff

PLAINTIFF(S)

v.

ELECTRIC LIGHTING SCIENCE INC. , a California
Corporation

DEFENDANT(S).

CASE NUMBER

CV12-05576 JFW(FMOx)

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint _____ amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Jonathan Deer, whose address is Turner Aubert & Freidman 8383 Wilshire Blvd., ste 510, Beverly Hills, CA 90211. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JUN 26 2012

Dated: _____

Clerk, U.S. District Court

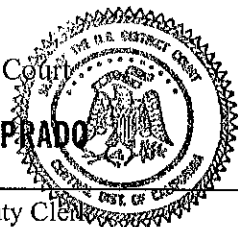
JULIE PRADO

By: _____

Deputy Clerk

1154

(Seal of the Court)



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) LIGHTING SCIENCE GROUP CORPORATION, A Delaware Corporation, plaintiff	DEFENDANTS ELECTRIC LIGHTING SCIENCE INC. , a California Corporation
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Jonathan M. Deer SBN 164837 TURNER AUBERT & FRIEDMAN, LLP 8383 WILSHIRE BLVD. SUITE 510 , BEVERLY HILLS CA 90211	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:47%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input checked="" type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify):
 6 Multi-District Litigation
 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: Yes No
 MONEY DEMANDED IN COMPLAINT: \$ 75,001.00

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

15 USC Sections 1051-1127 Trademark Infringement , False Designation of Origin

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV12-05576

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? No Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? No Yes
If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact; or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Florida

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.
 Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER)

Date 6/26/12

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))