

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

LIGHTING SCIENCE GROUP
CORPORATION,

Plaintiff,

v.

COOPER LIGHTING, LLC,

Defendant.

Civil Action No.

U:14-CV-195-ORL-37-TBS

**JURY TRIAL DEMANDED
INJUNCTIVE RELIEF REQUESTED**

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COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Lighting Science Group Corporation, through its attorneys, alleges as follows:

THE PARTIES

1. Plaintiff Lighting Science Group Corporation (“LSG”) is a corporation organized and existing under the laws of Delaware, with its principal place of business at 1227 South Patrick Drive, Satellite Beach, Florida 32937.

2. Upon information and belief, Defendant Cooper Lighting, LLC (“Cooper”) is a limited liability company organized and existing under the laws of the state of Delaware, having a place of business at 1121 Highway 74 South, Peachtree City, Georgia 30269.

JURISDICTION

3. This is a claim for patent infringement which arises under the patent laws of the United States, Title 35 of the United States Code. This Court has jurisdiction over the subject matter of this claim under 28 U.S.C. §§ 1331 and 1338(a).

4. Upon information and belief, this Court has personal jurisdiction over Cooper because Cooper is transacting business within this District and has committed acts, and, on information and belief, will continue to commit acts within this District giving rise to this action, including offering to sell and selling infringing products and/or placing infringing products into the stream of commerce in such a way as to reach customers in this District.

VENUE

5. Venue is proper in this judicial District under 28 U.S.C. §§ 1391(b), (c) and 1400(b).

COUNT I
(Infringement of U.S. Patent No. 8,201,968)

6. LSG repeats and realleges Paragraphs 1-5 as though fully set forth herein.

7. LSG is the owner by assignment of United States Patent No. 8,201,968, entitled “Low Profile Light,” which was duly and legally issued by the United States Patent and Trademark Office on June 19, 2012 (the “ ‘968 Patent”). A true and correct copy of the ‘968 Patent is attached hereto as Exhibit A.

8. Defendant Cooper infringes and will continue to infringe the ‘968 Patent by, among other activities, making, using, selling or offering to sell its Halo LED Recessed White Surface Disk Light products (hereinafter the “Accused Products”).

9. The Accused Products are sold in competition with LSG’s Glimpse downlight product, which is a commercial embodiment of the ‘968 Patent. LSG identifies the ‘968 Patent, and further identifies the Glimpse downlight product, as a commercial embodiment of the ‘968 Patent, on its website (*see* www.lsgc.com/patents).

10. Cooper’s infringement has injured LSG, and LSG is entitled to recover damages adequate to compensate it for such infringement.

11. Due to at least LSG's identification of the Glimpse downlight product as a commercial embodiment of the '968 Patent on its website, Cooper had knowledge of the '968 Patent and its infringement of the '968 Patent prior to the commencement of this action. Yet Cooper proceeded to sell and offer to sell the Accused Products despite an objectively high likelihood that its actions constituted infringement of a valid patent. Cooper knew or should have known of this objectively high risk. Accordingly, Cooper's acts of infringement are willful, warranting the assessment of increased damages pursuant to 35 U.S.C. § 284, and warranting a finding that this is an exceptional case pursuant to 35 U.S.C. § 285.

12. Cooper's infringing activities have injured and will continue to injure LSG unless and until this Court enters an injunction prohibiting further infringement, and specifically, enjoining further manufacture, use, sale, importation, and/or offer for sale of products that come within the scope of the claims of the '968 Patent.

PRAYER FOR RELIEF

WHEREFORE, LSG respectfully asks this Court to enter judgment against Cooper and against its respective subsidiaries, successors, parents, affiliates, officers, directors, agents, servants and employees, and all persons in active concert or participation with Cooper, granting the following relief:

- A. The entry of judgment in favor of LSG and against Cooper;
- B. A preliminary injunction prohibiting further infringement of the '968 Patent;
- C. A permanent injunction prohibiting further infringement of the '968 Patent;
- D. An award of damages against Cooper for damages arising from the infringement of '968 Patent, including treble damages for willful infringement pursuant to 35

U.S.C. § 284, together with prejudgment interest from the date the infringement began;

- E. The entry of judgment that this case is exceptional, and an award treble damages, attorney fees and the costs of this action pursuant to 35 U.S.C. § 285; and
- F. Such other relief to which LSG is entitled under law, and any other and further relief that this Court or a jury may deem just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. P. 38(b), LSG demands a trial by jury on all issues so triable.

Respectfully submitted this 6th day of February, 2014.



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