

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The 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, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

FIBER OPTIC DESIGNS, INC.

(b) County of Residence of First Listed Plaintiff **Bucks County**
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Hangley Aronchick Segal Pudlin & Schiller
One Logan Sq., 18th & Cherry Streets, 27th Fl.
Philadelphia, PA 19103-6933, Phone: 215.568.6200

DEFENDANTS

HOLIDYNAMICS, INC.
ANEWALT'S LAWN & LANDSCAPE INC.

County of Residence of First Listed Defendant **Douglas County, Nebraska**
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	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 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 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

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<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 Loans (Excludes 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	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 Federal 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 - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability 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	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
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	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395I) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(p)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(p)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <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"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. 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 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
35 U.S.C. 1, et seq.
 Brief description of cause:
Patent infringement

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMANDS** CHECK YES only if demanded in complaint
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

3/10/2016

SIGNATURE OF ATTORNEY OF RECORD



FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Fiber Optic Designs: 1790 Yardley-Langhorne Road, Heston Hall, Suite 206, Yardley, PA 19067

Address of Defendant: Holidayynamics: 10048 Scott Circle, Omaha, NE 68122
 Anewalt: 76 Tobias Lane, Bernville, PA 19506-9305

Place of Accident, Incident or Transaction:

(Use Reverse Side for Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock? (Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes No

RELATED CASE, IF ANY:

Case Number: Judge Date Terminated:

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes No
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes No
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court? Yes No
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? Yes No

CIVIL: (Place **X** in ONE CATEGORY ONLY)

A. Federal Question Cases:

B. Diversity Jurisdiction Cases:

1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All other Federal Question Cases (Please specify)

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products Liability — Asbestos
9. All other Diversity Cases (Please specify)

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Dylan J. Steinberg, counsel of record do hereby certify:

- Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case are alleged to exceed the sum of \$150,000.00 exclusive of interest and costs;
- Relief other than monetary damages is sought.

Date: March 10, 2016


 Attorney-at-Law

203222
 Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

Date: March 10, 2016


 Attorney-at-Law

203222
 Attorney I.D.#

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
CASE MANAGEMENT TRACK DESIGNATION FORM

Fiber Optic Designs, Inc.

CIVIL ACTION

v.


Holidynamics, Inc.

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

03/10/2016	 Attorney-at-law	Fiber Optic Designs, Inc.
Date	215.568.0300	Attorney for
215.568.6200		dsteinberg@hangle.com
Telephone	FAX Number	E-Mail Address

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FIBER OPTIC DESIGNS, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civ. Action No:
)	
HOLIDYNAMICS, INC.)	
)	JURY TRIAL DEMANDED
and)	
)	
ANEWALT’S LAWN & LANDSCAPE INC.,)	
)	
Defendants.)	
)	

VERIFIED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, Fiber Optic Designs, Inc. (hereinafter “Plaintiff” or “FOD”), by and through its undersigned counsel, files this Verified Complaint for Patent Infringement against Holidynamics, Inc. (“Holidynamics”) and Anewalt’s Lawn & Landscape Inc. d/b/a Anewalt’s Landscape Contracting (“Anewalt”) (hereinafter each individually referred to as “Defendant” and collectively referred to as “Defendants”), for which Plaintiff alleges:

THE PARTIES

1. Plaintiff, Fiber Optic Designs, Inc., is a corporation formed under the laws of Pennsylvania having its principal place of business at 1790 Yardley-Langhorne Road, Heston Hall, Suite 206, Yardley, Pennsylvania 19067.

2. Upon information and belief, Defendant Holidynamics is a Nebraska corporation having a principal place of business at 10048 Scott Circle, Omaha, NE 68122.

3. Upon information and belief, Defendant Anewalt is a corporation formed under the laws of Pennsylvania having a principal place of business at 76 Tobias Lane, Bernville, PA 19506-9305.

4. Upon information and belief, Defendants make, use, offer for sale, and/or sell within the United States and/or import into the United States products, including without limitation (a) M8 LED Light Sets, (b) C6 LED Light Sets, (c) T5 LED Light Sets, (d) 5MM (WA) LED Light Sets, (e) other products containing one or more jacketed light emitting diode assemblies or light strings of the same construction as those of the M8 LED Light Sets, the C6 LED Light Sets, the T5 LED Light Sets, and/or the 5MM (WA) LED Light Sets, and (f) M8, C6, T5, 5MM and (WA) light sets, and other LED light sets having at least one LED serial set of a plurality of LEDs defining a LED lighting chain, that include the connector assembly TS-38-2, TS-28-1, or any colorable imitation or equivalent thereof (collectively “the Accused Products”).

5. Upon information and belief, the claims of this Verified Complaint arise out of the same transaction, occurrence, or series of transactions or occurrences relating to Defendants’ making, using, offering for sale, or selling within the United States and/or importing into the United States of the Accused Products, and questions of fact common to both Defendants will arise in the action pursuant to 35 U.S.C. § 299.

JURISDICTION AND VENUE

6. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271 and 281 through 285.

7. The Court has original and exclusive jurisdiction over the subject matter of the complaint under 28 U.S.C. §§ 1331 and 1338(a).

8. The Court has personal jurisdiction over Defendants because: Defendants have minimum contacts within the State of Pennsylvania and within the Eastern District of Pennsylvania; Defendants have purposefully availed themselves of the privileges of conducting business within the State of Pennsylvania and within the Eastern District of Pennsylvania; Defendants have sought protection and benefit from the laws of the State of Pennsylvania; Defendants regularly conduct business within the State of Pennsylvania and within the Eastern District of Pennsylvania; and Plaintiff's causes of action arise directly from Defendants' business contacts, acts of infringement, and other activities within the State of Pennsylvania and within the Eastern District of Pennsylvania.

9. Defendants, directly and/or through their intermediaries and agents, ship, distribute, make, use, import, offer for sale, sell, and/or advertise their products, including the Accused Products, in the United States, the State of Pennsylvania, and the Eastern District of Pennsylvania. Upon information and belief, Defendants have committed patent infringement within the State of Pennsylvania and within the Eastern District of Pennsylvania. Upon information and belief, Defendants solicit customers within the State of Pennsylvania and within the Eastern District of Pennsylvania. Upon information and belief, Defendants have customers who are residents of the State of Pennsylvania and of the Eastern District of Pennsylvania and who use, sell or otherwise distribute

Defendants' products, including the Accused Products, within the State of Pennsylvania and within the Eastern District of Pennsylvania.

10. Upon information and belief, Defendant Holidynamics operates an interactive website having the URL www.holidynamics.com that allows residents of the State of Pennsylvania and the Eastern District of Pennsylvania to order Defendant Holidynamics' products, including the Accused Products, using a virtual "shopping cart" for direct shipment into the State of Pennsylvania and the Eastern District of Pennsylvania. Upon information and belief, Defendant Holidynamics' website also includes an "Affiliate Locator" that allows residents of the State of Pennsylvania and the Eastern District of Pennsylvania to search for Defendant Holidynamics' affiliates by city, state, and zip code. A website search of the State of Pennsylvania identifies Defendant Anewalt, 76 Tobia Lane, Bernville, PA 19506, which is located in Berks County in the Eastern District of Pennsylvania. Upon information and belief, Defendant Holidynamics sells and ships products, including the Accused Products, to Defendant Anewalt within this judicial district. Products offered for sale and/or sold via the website include, among others, C6, M8, T5, and 5MM (also known as Wide Angle (WA)) (the Accused Products). A true and correct copy of webpages from the www.holidynamics.com website printed out by Plaintiff's counsel on or about February 11, 2016 is attached hereto as Exhibit A.

11. Upon information and belief, Defendant Anewalt is a Pennsylvania corporation and operates a website having the URL www.anewaltslandscape.com that allows residents of the State of Pennsylvania and the Eastern District of Pennsylvania to view Defendant Anewalt's products, including the Accused Products, for purchase in

connection with Defendant Anewalt's landscaping and decorating services. Defendant Anewalt's home webpage states that "Anewalt's Landscape Contracting is proud to be Berks County's only Holidynamics Contractor. Contact us today to create a light display at your home or add curb appeal to your business!" On information and belief, Defendant Anewalt purchases and receives products, including the Accused Products, from Defendant Holidynamics for use, offer of sale, and sale within this judicial district. Upon information and belief, products offered for sale and/or sold via Defendant Anewalt's landscaping business include, among others, C6, M8, T5, and 5MM (WA) (the Accused Products). A true and correct copy of webpages from the www.anewaltslandscape.com website printed out by Plaintiff's counsel on or about February 19, 2016 is attached hereto as Exhibit B.

12. In or about February 2016, Plaintiff acquired Accused Products that had been purchased from Defendant Holidynamics, and Defendant Holidynamics shipped the Accused Products within this judicial district.

13. The exercise of personal jurisdiction over Defendants in this judicial district comports with the Due Process Clause of the United States Constitution.

14. Venue is proper in this District pursuant to under 28 U.S.C. §§ 1391 and 1400(b) because, upon information and belief, Defendants: have transacted business within this judicial district giving rise to the subject of this civil action; have committed acts of infringement, including, selling, offering for sale, having sold, and/or shipping units of the Accused Products into this judicial district; and are subject to the Court's personal jurisdiction with respect to this civil action. Venue is additionally proper in this

District with respect to Defendant Anewalt because Defendant Anewalt resides in this Judicial District.

THE PATENTS-IN-SUIT

15. United States Patent No. 7,220,022 (“the ‘022 Patent”) to Allen *et al.* entitled “Jacketed LED assemblies and light strings containing same” was legally issued by the United States Patent & Trademark Office (“USPTO”) on May 22, 2007 from U.S. Patent Application No. 11/357,405 filed February 21, 2006. The ‘022 Patent was subject to *ex parte* reexamination Control No. 90/009,292 and *inter partes* reexamination Control No. 95/000,425. The USPTO issued an *Inter Partes* Reexamination Certificate on July 31, 2012. True and correct copies of the ‘022 Patent and the *Inter Partes* Reexamination Certificate are attached hereto as Exhibit C.

16. United States Patent No. 7,934,852 (“the ‘852 Patent”) to Allen *et al.* entitled “Jacketed LED assemblies and light strings containing the same” was legally issued by the USPTO on May 3, 2011 from U.S. Patent Application No. 11/785,434 filed April 17, 2007. A true and correct copy of the ‘852 Patent is attached hereto as Exhibit D.

17. United States Patent No. 7,377,802 (“the ‘802 Patent”) to Allen entitled “Plug and cord connector set with integrated circuitry” was legally issued by the USPTO on May 27, 2008 from U.S. Patent Application No. 11/443,844 filed May 26, 2006. A true and correct copy of the ‘802 Patent is attached hereto as Exhibit E.

18. All maintenance fees have been timely paid for each of the ‘022 Patent, the ‘852 Patent, and the ‘802 Patent (collectively “the Patents-in-Suit”).

19. Plaintiff is the true and sole owner by assignment of each of the Patents-in-Suit and possesses all right, title, and interest in the Patents-in-Suit including the right to

enforce the Patents-in-Suit. Assignments are recorded in the USPTO at Reel/Frame 018912/0160, 019573/0752, 026599/0296, 026758/0537, and 017900/0324. Plaintiff has the right to sue for and recover damages for infringement of the Patents-in-Suit.

20. The Patents-in-Suit are in force and are presumed valid by virtue of 35 U.S.C. § 282.

21. At all times pertinent, Plaintiff has marked or caused to be marked products covered by the Patents-in-Suit in compliance with 35 U.S.C. § 287.

22. Plaintiff provided Defendant Holidynamics with actual notice of the existence of at least the '022 Patent, the '852 Patent, and the '802 Patent and that Defendant Holidynamics was believed to infringe the Patents-in-Suit in a cease-and-desist letter that was delivered to Defendant Holidynamics.

COUNT I

INFRINGEMENT OF U.S. PAT. NO. 7,220,022 (THE '022 PATENT)

23. Paragraphs 1 through 22 are adopted and incorporated herein by reference.

24. Upon information and belief Defendants have infringed and continue to infringe the '022 Patent, either literally or under the doctrine of equivalents, through the use, offer for sale, and/or sale in the United States and/or importation into the United States of products, including without limitation the following Accused Products, which infringe one or more claims of the '022 Patent: (a) M8 LED Light Sets, due to the existence of each and every limitation (or its equivalent) of at least claims 1, 8, 9, 16, 17, 18, 25, 27, 33, 43, 50, 61, 66, and 67 of the '022 Patent in said Accused Product; (b) C6 LED Light Sets, due to the existence of each and every limitation (or its equivalent) of at least claims 1, 8, 9, 16, 17, 18, 25, 27, 33, 43, 50, 61, 66, and 67 of the '022 Patent in said

Accused Product; (c) T5 LED Light Sets, due to the existence of each and every limitation (or its equivalent) of at least claims 1, 8, 9, 16, 17, 18, 25, 27, 33, 43, 50, 61, 66, and 67 of the '022 Patent in said Accused Product; and (d) any other products containing one or more LED jacketed light emitting diode assemblies or light strings of the same construction as those of the M8 LED Light Sets, the C6 LED Light Sets, and/or the T5 LED Light Sets. Plaintiff reserves the right to identify other products as infringing the '022 Patent based upon discovery of other products of Defendants. Plaintiff further reserves the right to identify other claims of the '022 Patent infringed by either or both of Defendants.

25. Defendants' actions as set forth in the preceding paragraph have been without license or authority from Plaintiff.

26. Defendants have been on actual and/or constructive notice of the Patents-in-Suit.

27. Plaintiff has been damaged and substantially harmed by the infringement.

28. Upon information and belief, Defendants' actions were and/or are willful, deliberate, and intentional, and in disregard of Plaintiff's rights in the '022 Patent.

29. Plaintiff has suffered and continues to suffer irreparable damage and injury for which there is no adequate remedy at law against Defendants on account of their infringement of the '022 Patent.

COUNT II

INFRINGEMENT OF U.S. PAT. NO. 7,934,852 (THE '852 PATENT)

30. Paragraphs 1 through 22 are adopted and incorporated herein by reference.

31. Upon information and belief, Defendants have infringed and continue to infringe the '852 Patent, either literally or under the doctrine of equivalents, through the use, offer for sale, and/or sale in the United States and/or importation into the United States of products, including without limitation the following Accused Products, which infringe one or more claims of the '852 Patent: (a) M8 LED Light Sets, due to the existence of each and every limitation (or its equivalent) of at least claims 1, 2, 4, 6-9, 11-14, 16, and 18-21 of the '852 Patent in said Accused Product; (b) C6 LED Light Sets, due to the existence of each and every limitation (or its equivalent) of at least claims 1, 2, 4, 6-9, 11-14, 16, and 18-21 of the '852 Patent in said Accused Product; (c) T5 LED Light Sets, due to the existence of each and every limitation (or its equivalent) of at least claims 1, 2, 4, 6-9, 11-14, 16, and 18-21 of the '852 Patent in said Accused Product; (d) 5MM (WA) LED Light Sets, due to the existence of each and every limitation (or its equivalent) of at least claims 1, 2, 6, 7, 8, 11-14, and 18-21 of the '852 Patent in said Accused Product; and (e) any other products containing one or more LED jacketed light emitting diode assemblies or light strings of the same construction as those of the M8 LED Light Sets, the C6 LED Light Sets, the T5 LED Light Sets, and/or the 5MM (WA) LED Light Sets. Plaintiff reserves the right to identify other products as infringing the '852 Patent based upon discovery of other products of Defendants. Plaintiff further reserves the right to identify other claims of the '852 Patent infringed by either or both of Defendants.

32. Defendants' actions as set forth in the preceding paragraph have been without license or authority from Plaintiff.

33. Defendants have been on actual and/or constructive notice of the Patents-in-Suit.

34. Plaintiff has been damaged and substantially harmed by the infringement.

35. Upon information and belief, Defendants' actions were and/or are willful, deliberate, and intentional, and in disregard of Plaintiff's rights in the '852 Patent.

36. Plaintiff has suffered and continues to suffer irreparable damage and injury for which there is no adequate remedy at law against Defendants on account of their infringement of the '852 Patent.

COUNT III

INFRINGEMENT OF U.S. PAT. NO. 7,377,802 (THE '802 PATENT)

37. Paragraphs 1 through 22 are adopted and incorporated herein by reference.

38. Upon information and belief, Defendants have infringed and continue to infringe the '802 Patent, either literally or under the doctrine of equivalents, through the use, offer for sale, and/or sale in the United States and/or importation into the United States of products, including without limitation the following Accused Products, which infringe one or more claims of the '802 Patent: the M8, C6, T5, and 5MM (WA) light sets, and other LED light sets having at least one LED serial set of a plurality of LEDs defining a LED lighting chain, that include the connector assembly TS-38-2, TS-28-1, or any colorable imitation or equivalent thereof, due to the existence of each and every limitation (or its equivalent) of at least claims 1, 3, 6-8, and 10 of the '802 Patent in said Accused Products. Plaintiff reserves the right to identify other products as infringing the '802 Patent based upon discovery of other products of Defendants. Plaintiff further

reserves the right to identify other claims of the '802 Patent infringed by either or both of Defendants.

39. Defendants' actions as set forth in the preceding paragraph have been without license or authority from Plaintiff.

40. Defendants have been on actual and/or constructive notice of the Patents-in-Suit.

41. Plaintiff has been damaged and substantially harmed by the infringement.

42. Upon information and belief, Defendants' actions were and/or are willful, deliberate, and intentional, and in disregard of Plaintiff's rights in the '802 Patent.

43. Plaintiff has suffered and continues to suffer irreparable damage and injury for which there is no adequate remedy at law against Defendants on account of their infringement of the '802 Patent.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Fiber Optic Designs, Inc. prays that judgment be entered by this Court in Plaintiff's favor and against Defendants Holidynamics, Inc. and Anewalt's Lawn & Landscape Inc. providing the following relief:

A. A declaration that Defendants have infringed each of the Patents-in-Suit, either literally or under the doctrine of equivalents, by making, selling, offering to sell, using and/or importing each of the respective Accused Products (35 U.S.C. § 271);

B. An Order that Defendants, their agents, affiliates, subsidiaries, servants, employees and attorneys and those persons in active concert with or controlled by them be preliminarily and permanently enjoined from making, using, offering to sell, and

selling within the United States and importing into the United States the Accused Products as identified above infringing the Patents-in-Suits;

C. Compensatory damages in the amount of Plaintiff's lost profits and all other damage sustained by Plaintiff by reason of the infringement of the Patents-in-Suit, which damages shall be no less than a reasonable royalty, as well as costs and prejudgment interest based on infringement damages accruing from the date of Defendants' acts of infringement (35 U.S.C. § 284);

D. A declaration that Defendants' actions and infringement were and/or are willful, deliberate, and intentional, and in disregard to Plaintiff's rights;

E. Treble damages as provided by 35 U.S.C. § 284;

F. An award of attorney fees under 35 U.S.C. § 285;

G. An Order that directs Defendants deliver up to Plaintiff for immediate destruction all remaining Accused Products, advertisements, circulars, brochures or other promotional or advertising items of its Accused Products, and that Defendants remove mention of such Accused Products from their websites; and

H. Such other and further relief as may be proper and just.

JURY REQUEST

Plaintiff Fiber Optic Designs, Inc. requests a trial by jury on all issues presented herein that are so triable.

Dated: March 10, 2016

HANGLEY ARONCHICK SEGAL
PUDLIN & SCHILLER



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Philadelphia, PA 19103-6933
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dsteinberg@hangley.com

Attorneys for Plaintiff Fiber Optic Designs, Inc.

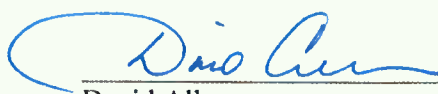
OF COUNSEL:

Joseph W. Berenato, III (*pro hac vice* to be filed)
David S. Taylor (*pro hac vice* to be filed)
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VERIFICATION

David Allen states that he is the President of Fiber Optic Designs, Inc. and that to his personal knowledge or upon information and belief deemed reasonable after appropriate investigation, he hereby verifies the factual allegation in this Verified Complaint of Patent Infringement on behalf of Fiber Optic Designs, Inc.

Date: March 10, 2016



David Allen
President, Fiber Optic Designs, Inc.