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 8 **UNITED STATES DISTRICT COURT**
 9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

10 LEDSON, a Polish Company, and
 11 LUMINII CORP., an Illinois
 12 corporation,

13 Plaintiffs,

14 v.

15 VISION LIGHT WORX, INC., a
 16 California corporation, d/b/a Optic
 17 Arts,

18 Defendant.
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Case No. 2:16-cv-1997

**COMPLAINT FOR DESIGN PATENT
 INFRINGEMENT**

JURY TRIAL DEMANDED

1 Plaintiffs LEDs_{ON} and Luminii Corp. ("Plaintiffs") complain and allege as
2 follows against Defendant Vision Light Worx, Inc. d/b/a Optic Arts ("Defendant").

3 **THE PARTIES**

4 1. LEDs_{ON} is a family business established in 2005 in Warsaw, Poland
5 and has become a leading manufacturer of aluminum profiles for Light Emitting
6 Diode (LED) fixtures. LEDs_{ON} has created numerous designs for extrusions for
7 LED-based lighting devices.

8 2. LEDs_{ON} has a place of business at ul. Obroncow Tobruku 31/140, 01-
9 494 Warsaw, Poland.

10 3. Luminii is a manufacturer of specification grade architectural LED
11 lighting products, organized under the laws of the State of Illinois, and has a place of
12 business at 7777 Merrimac Ave, Niles, IL 60714.

13 4. Upon information and belief, Vision Light Worx, Inc. is corporation
14 organized under the laws of the State of California, has a place of business at 1130
15 Monterey Pass Rd., Monterey Park, CA, 91754, and conducts business under the
16 name Optic Arts.

17 **JURISDICTION AND VENUE**

18 5. This is an action for patent infringement arising under the patent laws of
19 the United States, 35 U.S.C. § 271 et seq.

20 6. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331
21 and 1338.

22 7. This Court has personal jurisdiction over Defendant because it has
23 committed and continues to commit acts of infringement in violation of 35 U.S.C. §
24 271, and places infringing products into the stream of commerce, with the knowledge
25 or understanding that such products are sold in the State of California, including in
26 this District. The acts by Defendant cause injury to Plaintiffs within this District.
27 Upon information and belief, Defendant derives substantial revenue from the sale of
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1 infringing products within this District, expects its actions to have consequences
2 within this District, and derives substantial revenue from interstate commerce.

3 8. Venue is proper within this District under 28 U.S.C. §§ 1391(b) and (c)
4 and 1400(b).

5 **BACKGROUND FACTS**

6 9. Slawomir Trzesniowski is the managing director and owner of
7 LEDsON.

8 10. Mr. Trzesniowski has protected his innovative designs through design
9 patents issued by the United States Patent and Trademark Office. The asserted
10 design patents cover many ornamental features of Plaintiffs' products.

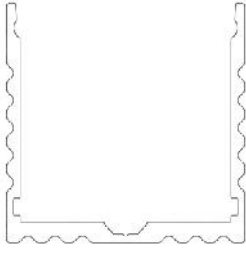
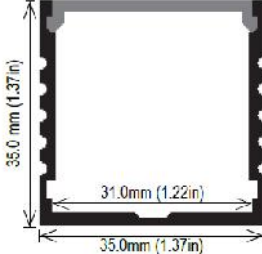

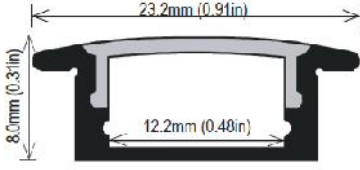
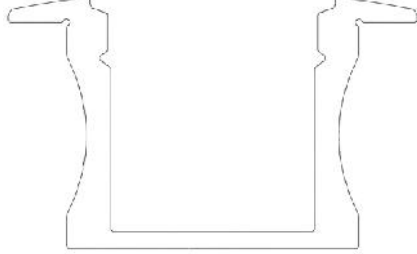
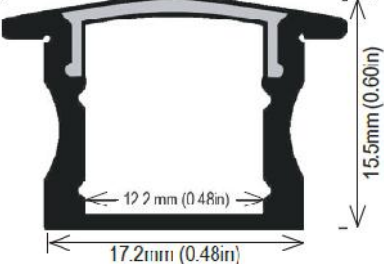
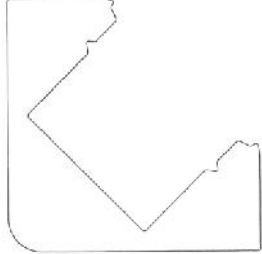
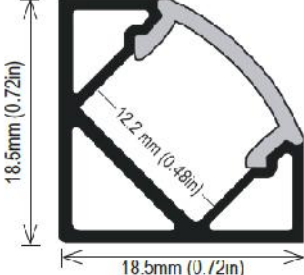

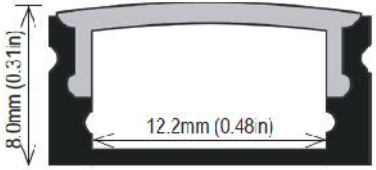
Patent Number	Title
D651,739	Extrusion for LED-Based Lighting Apparatus
D649,683	Extrusion for LED-Based Lighting Apparatus
D649,684	Extrusion for LED-Based Lighting Apparatus
D649,680	Extrusion for Light Emitting Diode Based Lighting Apparatus
D649,681	Extrusion for LED-Based Lighting Apparatus
D649,682	Extrusion for LED-Based Lighting Apparatus

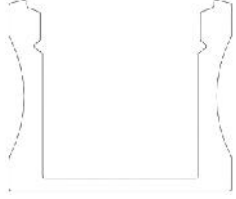
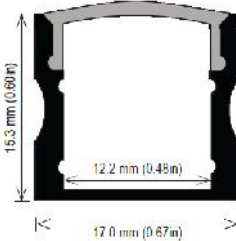
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22 11. LEDsON owns, by way of assignment, each of the asserted design
23 patents listed above, copies of which are attached as Exhibits 1-6.

24 12. Luminii is the exclusive licensee in the United States of the asserted
25 LEDsON design patents.

26 13. As the side-by-side comparisons shown below reveal, Defendant has
27 misappropriated Plaintiffs' patented LED-based lighting apparatus designs in the
28 accused products.

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U.S. Design Patent Side Elevation View	Accused Product
 <p data-bbox="495 598 641 640">D651,739</p>	 <p data-bbox="974 619 1185 651">CHW-S-3535</p>
 <p data-bbox="495 787 641 829">D649,681</p>	 <p data-bbox="974 840 1177 871">CHS-R-1208</p>
 <p data-bbox="495 1155 641 1197">D649,683</p>	 <p data-bbox="974 1155 1177 1186">CHS-R-1715</p>
 <p data-bbox="495 1470 641 1512">D649,684</p>	 <p data-bbox="974 1491 1177 1522">CHS-C-1919</p>
 <p data-bbox="495 1690 641 1732">D649,680</p>	 <p data-bbox="974 1722 1177 1753">CHS-S-1208</p>

U.S. Design Patent Side Elevation View	Accused Product
 <p data-bbox="493 474 643 510">D649,682</p>	 <p data-bbox="976 516 1177 552">CHS-S-1715</p>

14. Plaintiff, Luminii, notified Defendant of the asserted design patents by way of a letter addressed to Mr. Jason Mullen, Optic Arts, 1118 Chestnut Street, Suite 105, Burbank, California 91506, which was mailed on December 21, 2015.

15. Since receipt of the aforementioned letter, Defendant has continued to manufacture, import, sell and/or offer for sale one or more of the accused products.

16. Since receipt of the aforementioned letter, Defendant has refused to change its products in response to Plaintiffs' objections, and has refused to discontinue its sales of the accused products.

17. On information and belief, Defendant, with full knowledge of the asserted design patents and the accused products, has acted with reckless disregard for the asserted design patents.

FIRST CLAIM FOR RELIEF
(Infringement of D651,739)

18. Plaintiffs incorporate and reallege paragraphs 1 through 17 of this Complaint.

19. Defendant has infringed and continues to infringe U.S. Design Patent D651,739 by using, selling and/or offering to sell in the United States, and/or importing into the United States a LED-based lighting apparatus with product number CHW-S-3535, which embodies the design covered by U.S. Design Patent D651,739.

1 **SECOND CLAIM FOR RELIEF**
2 **(Infringement of D649,681)**

3 20. Plaintiffs incorporate and reallege paragraphs 1 through 19 of this
4 Complaint.

5 21. Defendant has infringed and continues to infringe U.S. Design Patent
6 D649,681 by using, selling and/or offering to sell in the United States, and/or
7 importing into the United States a LED-based lighting apparatus with product
8 number CHS-R-1208, which embodies the design covered by U.S. Design Patent
9 D649,681.

10 **THIRD CLAIM FOR RELIEF**
11 **(Infringement of D649,683)**

12 22. Plaintiffs incorporate and reallege paragraphs 1 through 21 of this
13 Complaint.

14 23. Defendant has infringed and continues to infringe U.S. Design Patent
15 D649,683 by using, selling and/or offering to sell in the United States, and/or
16 importing into the United States a LED-based lighting apparatus with product
17 number CHS-R-1715, which embodies the design covered by U.S. Design Patent
18 D649,683.

19 **FOURTH CLAIM FOR RELIEF**
20 **(Infringement of D649,684)**

21 24. Plaintiffs incorporate and reallege paragraphs 1 through 23 of this
22 Complaint.

23 25. Defendant has infringed and continues to infringe U.S. Design Patent
24 D649,684 by using, selling and/or offering to sell in the United States, and/or
25 importing into the United States a LED-based lighting apparatus with product
26 number CHS-C-1919, which embodies the design covered by U.S. Design Patent
27 D649,684.
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1 **FIFTH CLAIM FOR RELIEF**
2 **(Infringement of D649,680)**

3 26. Plaintiffs incorporate and reallege paragraphs 1 through 25 of this
4 Complaint.

5 27. Defendant has infringed and continues to infringe U.S. Design Patent
6 D649,680 by using, selling and/or offering to sell in the United States, and/or
7 importing into the United States a LED-based lighting apparatus with product
8 number CHS-S-1208, which embodies the design covered by U.S. Design Patent
9 D649,680.

10 **SIXTH CLAIM FOR RELIEF**
11 **(Infringement of D649,682)**

12 28. Plaintiffs incorporate and reallege paragraphs 1 through 27 of this
13 Complaint.

14 29. Defendant has infringed and continues to infringe U.S. Design Patent
15 D649,682 by using, selling and/or offering to sell in the United States, and/or
16 importing into the United States a LED-based lighting apparatus with product
17 number CHS-S-1715, which embodies the design covered by U.S. Design Patent
18 D649,682.

19 **PRAYER FOR RELIEF**

20 WHEREFORE, Plaintiffs pray for relief as follows:

- 21 1. A judgment that Defendant has infringed each of the asserted design
22 patents;
23 2. An order and judgment permanently enjoining Defendant and its
24 officers, directors, agents, servants, employees, affiliates, attorneys, and all others
25 acting in privity or in concert with them, and their parents, subsidiaries, divisions,
26 successors and assigns, from further acts of infringement of the asserted design
27 patents.
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1 3. A judgment awarding Plaintiffs all damages adequate to compensate for
2 Defendant's infringement of the asserted patents, and particularly Defendant's total
3 profits pursuant to 35 U.S.C. § 289.

4 4. A judgment awarding Plaintiffs all damages, costs, and interest,
5 including treble damages, based on any infringement found to be willful, pursuant to
6 35 U.S.C. § 284, together with prejudgment interest.

7 5. An accounting of Defendant's profits.

8 6. A judgment declaring this case to be exceptional and awarding Plaintiffs
9 their reasonable attorneys fees pursuant to 35 U.S.C. § 285; and

10 Awarding Plaintiffs such other and further relief as this Court deems just and
11 proper.

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13 DATED: March 23, 2016

By: /s/ Dennis H. Ma

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