

LAW OFFICES OF  
VENJURIS, P.C.  
1938 EAST OSBORN ROAD  
PHOENIX, ARIZONA 85016  
TELEPHONE (602) 631-9100  
FACSIMILE (602) 631 9796  
E-MAIL DOCKETING@VENJURIS.COM

Michael F. Campillo (AZ Bar no. 019014)  
Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

TECHNICAL LED INTELLECTUAL  
PROPERTY, LLC., a Delaware limited  
liability company,

Plaintiff,

v.

WESTWINGX LLC. D/B/A FLUX  
SMART LIGHTING,

Defendant.

Civil Action No.

ORIGINAL COMPLAINT FOR  
PATENT INFRINGEMENT

**JURY TRIAL DEMANDED**

This is an action for patent infringement in which Technical LED Intellectual Property, LLC. (“Technical LED” or “Plaintiff”) makes the following allegations against Westwingx LLC. d/b/a Flux Smart Lighting (“Flux Smart” or “Defendant”):

**PARTIES**

1. Plaintiff Technical LED is a Delaware limited liability company, with a place of business located at 251 Little Falls Dr., Wilmington, DE 19808.

1           2.       On information and belief, Defendant Flux Smart is a limited liability  
2 company organized under the laws of the State of Arizona.

3           3.       On information and belief, Defendant Flux Smart has a principal place  
4 of business at 890 E. Doral CT, Gilbert AZ85297 and another at 3116 S Mill Avenue  
5 #153, Tempe, AZ 85282.

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9                           **JURISDICTION AND VENUE**

10          4.       Plaintiff repeats and realleges the allegations of the previous paragraphs  
11 as though fully set forth herein.

12          5.       This action arises under the patent laws of the United States, Title 35 of  
13 the United States Code. This Court has subject matter jurisdiction pursuant to 28  
14 U.S.C. §§ 1331 and 1338(a).

15          6.       Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b).  
16  
17 On information and belief, Defendant has transacted business in this district, and has  
18 committed and/or induced acts of patent infringement in this district.

19          7.       On information and belief, Defendant is subject to this Court's specific  
20 and general personal jurisdiction pursuant to due process and/or the Arizona's Long  
21 Arm Statue, due at least to its substantial business in this forum, including: (i) at least  
22 a portion of the infringements alleged herein; (ii) regularly doing or soliciting  
23 business, engaging in other persistent courses of conduct, and/or deriving substantial  
24 revenue from goods and services provided to individuals in Arizona and in this  
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1 Judicial District; and having a regular and established place of business in this  
2 Judicial District.

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5 **COUNT I**  
6 **INFRINGEMENT OF U.S. PATENT NO. RE41,685**

7 8. Plaintiff repeats and realleges the allegations of the previous paragraphs  
8 as though fully set forth herein.

9 9. Plaintiff is the owner by assignment of United States Patent No.  
10 RE41,685 (“the ‘685 Patent”) titled “Light Source with Non-White and Phosphor-  
11 Based White LED Devices and LCD Assembly.” The ‘685 Patent reissued on  
12 September 4, 2010. A true and correct copy of the ‘685 Patent is attached as **Exhibit**  
13 **A.**

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16 10. Upon information and belief, Defendant directly or through  
17 intermediaries has been and is now infringing the ‘685 Patent in the State of Arizona,  
18 in this judicial district, and elsewhere in the United States, by, making, using,  
19 providing, supplying, distributing, selling, and/or offering for sale products (including  
20 at least its website at [www.fluxsmartlighting.com](http://www.fluxsmartlighting.com)), further including bluetooth bulbs,  
21 WiFi and similar type assemblies, comprising a light source that infringes one or more  
22 claims of the ‘685 Patent and particularly, e.g., claims 10 through 14 of the ‘685  
23 Patent. The ‘685 Patent reads on the Defendant’s bulbs as set forth in the exemplary  
24 claim chart attached as **Exhibit B.**  
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1 11. Upon information and belief and in view of the foregoing, Defendant  
2 has been and is continuing to directly infringe, literally infringe, and/or infringe the  
3 '685 Patent under the doctrine of equivalents. Defendant is thus liable for  
4 infringement of the '685 Patent pursuant to 35 U.S.C. § 271.  
5

6 12. As a result of Defendant's infringement of the '685 Patent, Plaintiff has  
7 suffered monetary damages and is entitled to a money judgment in an amount  
8 adequate to compensate for Defendant's infringement, but in no event less than a  
9 reasonable royalty for the use made of the invention by Defendant, together with  
10 interest and costs as fixed by the court, and Plaintiff will continue to suffer damages  
11 in the future unless Defendant's infringing activities are enjoined by this Court.  
12 Unless a permanent injunction is issued enjoining Defendant and its agents, servants,  
13 employees, representatives, affiliates, and all others acting on in active concert  
14 therewith from infringing the '685 Patent, Plaintiff will be greatly and irreparably  
15 harmed.  
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21 **PRAYER FOR RELIEF**

22 WHEREFORE, Plaintiff respectfully requests that this Court enter:

23 1. A judgment in favor of Plaintiff that Defendant has infringed the '685  
24 Patent;

25 2. A permanent injunction enjoining Defendant and its officers, directors,  
26 agents servants, affiliates, employees, divisions, branches, subsidiaries, parents, and  
27 all others acting in active concert therewith from infringement, inducing the  
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1 infringement of, or contributing to the infringement of '685 Patent, or such other  
2 equitable relief the Court determines is just and proper;

3 3. Award, in lieu of an injunction, a compulsory ongoing royalty;

4 4. A judgment and order requiring Defendant pay to Plaintiff its damages,  
5 costs, expenses, and prejudgment and post-judgment interest for Defendant's  
6 infringement of the '685 Patent as provided under 35 U.S.C. § 284, and an accounting  
7 of ongoing post-judgment infringement; and  
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10 5. Any and all other relief, at law or equity, to which Plaintiff may show  
11 itself to be entitled.

12 **DEMAND FOR JURY TRIAL**

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14 Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by  
15 jury of any issues so triable by right.

16  
17 Respectfully submitted,

18  
19 DATED: February 23, 2018.

/s/ Michael F. Campillo  
Michael F. Campillo, Esq.  
Arizona Bar No. 019014  
mfcampillo@venjuris.com  
Venjuris P.C.  
1938 E. Osborn Rd.  
Phoenix, Arizona 85016  
Tel: 602.631.9100  
Fax: 602.635.4503

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25 OF COUNSEL:

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27 /s/ Louis M. Heidelberger, Esq.  
Louis M. Heidelberger (For Admission *Pro Hac Vice*)  
28 Pennsylvania Bar No. 21569

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Louis.heidelberger@gmail.com

**The Law Offices of Louis M. Heidelberger, Esquire LLC.**  
1229 Laurel Oak LN  
York, PA 17403  
Tel: (215) 284-8910  
Fax: (267) 388-3996  
**ATTORNEYS FOR PLAINTIFF TECHNICAL LED  
INTELLECTUAL PROPERTY, LLC**