

HOWARD & HOWARD ATTORNEYS PLLC

1 W. WEST ALLEN
Nevada Bar. No. 5566
2 wwa@h2law.com
JONATHAN FOUNTAIN
3 Nevada Bar No. 10531
jwf@h2law.com
4 HOWARD & HOWARD ATTORNEYS PLLC
3800 Howard Hughes Parkway, Suite 1000
5 Las Vegas, Nevada 89169
Telephone: 702.257.1483
6 Facsimile: 702.567.1568

7 Louis M. Heidelberger (*will comply with LR IA 11-2 within 45 days*)
1229 Laurel Oak Lane
8 York, PA 17403
louis.heidelberger@gmail.com
9 Telephone: 215.284.8910

10 *Attorneys for Plaintiff,*
11 *Technical LED Intellectual Property, LLC*

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 TECHNICAL LED INTELLECTUAL
PROPERTY, LLC, a Delaware limited
15 liability company,
16 Plaintiff,
17 v.
18 BRAND W, LLC d/b/a ECOLOCITY LED, a
Nevada limited liability company,
19 Defendant.

Case No.:

**COMPLAINT FOR PATENT
INFRINGEMENT (U.S. PATENT No.
RE41,685)**

DEMAND FOR JURY TRIAL

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21
22 This is an action for patent infringement in which Technical LED Intellectual Property,
23 LLC (“Technical LED” or “Plaintiff”) makes the following allegations against Brand W, LLC d/b/a
24 Ecolocity LED (“Brand W” or “Defendant”):

25 **PARTIES**

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

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1 2. On information and belief, Defendant Brand W has a principal place of business in
2 Sparks, Nevada at 255 Distribution Drive.

3 **JURISDICTION AND VENUE**

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

6 4. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On
7 information and belief, Defendant is located in this judicial district, has transacted business in this
8 judicial district, and has committed and/or induced acts of patent infringement in this judicial
9 district.

10 5. On information and belief, Defendant is subject to this Court’s specific and general
11 personal jurisdiction pursuant to due process and/or Nevada’s Long Arm Statute, due at least to its
12 substantial business in this forum, including: (i) at least a portion of the infringements alleged
13 herein; (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct,
14 and/or deriving substantial revenue from goods and services provided to individuals in Nevada and
15 in this judicial district; and having a regular and established place of business in this judicial district.

16 **COUNT I**

17 **Infringement of U.S. Patent No. RE41,685**

18 6. Plaintiff is the owner by assignment of United States Patent No. RE41,685 (“the ’685
19 Patent”) titled “Light Source with Non-White and Phosphor-Based White LED Devices and LCD
20 Assembly.” The ’685 Patent reissued on September 14, 2010. A true and correct copy of the ’685
21 Patent is attached as **Exhibit A**.

22 7. Upon information and belief, Defendant directly or through intermediaries has been
23 and is now infringing the ’685 Patent in the State of Nevada, in this judicial district, and elsewhere
24 in the United States, by making, using, providing, supplying, distributing, selling, and/or offering
25 for sale products (including at least its website at www.ecolocityled.com) and further including
26 MIPOW BTL-400-BK Playbulb, MIPOW E26 Bluetooth Smart LED and other products
27 incorporating smart LED lights and similar type assemblies, comprising a light source that
28 infringes one or more claims of the ’685 Patent and particularly, e.g., claims 10 through 14 of

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1 the '685 Patent. The '685 Patent reads on at least the MIPOW BTL-400-BK Playbulb and the
2 MIPOW E26 Bluetooth Smart LED, as set forth respectively in the exemplary claims charts
3 attached as **Exhibits B and C**.

4 8. Upon information and belief and in view of the foregoing, Defendant has been and is
5 continuing to directly infringe, literally infringe, and/or infringe the '685 Patent under the doctrine
6 of equivalents. Defendant is thus liable for infringement of the '685 Patent pursuant to 35 U.S.C. §
7 271.

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

16 **PRAYER FOR RELIEF**

17 WHEREFORE, Plaintiff respectfully requests that this Court enter:

- 18 1. A judgment in favor of Plaintiff that Defendant has infringed the '685 Patent;
- 19 2. A permanent injunction enjoining Defendant and its officers, directors, agents,
20 servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in
21 active concert therewith from infringement, inducing the infringement of, or contributing to the
22 infringement of '685 Patent, or such other equitable relief the Court determines is just and proper;
- 23 3. A judgment and order requiring Defendant pay to Plaintiff its damages, costs,
24 expenses, and prejudgment and post-judgment interest for Defendant's infringement of the '685
25 Patent as provided under 35 U.S.C. § 284, and an accounting of ongoing post-judgment
26 infringement; and
- 27 4. Any and all other relief, at law or equity, to which Plaintiff may show itself to be
28 entitled.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury for all issues so triable.

Dated this 18th day of June, 2018.

HOWARD & HOWARD ATTORNEYS PLLC

By: /s/ W. West Allen
W. WEST ALLEN
Nevada Bar. No. 5566
wwa@h2law.com
JONATHAN FOUNTAIN
Nevada Bar No. 10531
jwf@h2law.com
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Louis M. Heidelberg
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