

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

LYNK, INC.)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. _____
)	
MSR IMPORTS, INC.)	
)	
Defendant.)	

COMPLAINT

For its Complaint, plaintiff Lynk, Inc. (“Lynk”) alleges as follows against defendant MSR Imports, Inc. (“MSR”).

1. Plaintiff Lynk is a corporation duly organized and existing under the laws of the State of Kansas and has its principal place of business at 8241 Melrose Drive, Lenexa, Kansas 66214.

2. On information and belief, defendant MSR is a New Jersey corporation having its principal place of business at 6920 Central Highway, Airport Circle Industrial Park, Pennsauken, New Jersey 08109.

3 This is an action for patent infringement under the Patent Laws of the United States, Title 35 of the U.S. Code. This Court has jurisdiction under 28 U.S.C. § 1338(a). Defendant MSR is doing business in this judicial district and has sold and offered to sell infringing devices in this district. Venue is proper under 28 U.S.C. § 1391(b) and (c).

4. Plaintiff Lynk is the owner by assignment of all right, title and interest in and to United States Letters Patent Nos. 5,695,073; 5,855,279; Des. 377,728; Des. 382,434; Des. 385,481 and Des. 424,320 (collectively referred to as “patents in suit”), all of which duly and

legally issued and are in full force and effect. The patents in suit were assigned to Lynk by the inventors by written instruments which have been duly recorded in the United States Patent and Trademark Office.

5. Defendant MSR has made, used, sold and/or offered to sell products which embody the invention of each of the patents in suit and has infringed all of the patents in suit under 35 U.S.C. § 271. The infringement is willful and deliberate and has been done with knowledge of the patents in suit and their coverage of the MSR products.

6. MSR has been notified of its infringing conduct. Plaintiff Lynk has been damaged by the infringement and will be damaged irreparably by ongoing infringement unless MSR is enjoined by this Court from further infringement.

7. Plaintiff Lynk has marked its patented products pursuant to 37 U.S.C. §287(a).

8. MSR has long known of the patents in suit and has long known that they cover MSR's products. The infringement is deliberate and willful.

WHEREFORE, plaintiff Lynk prays:

(a) For entry of a judgment that MSR has infringed each of the patents in suit;

(b) For preliminary and permanent injunctions prohibiting MSR and its officers, agents, directors and employees, and those in active concert with them, from infringing the patents in suit;

(c) For an award of damages to Lynk and against MSR in an amount sufficient to compensate Lynk for the damage it has suffered by reason of the infringement;

(d) For entry of a finding that the infringement is willful and that this is an exceptional case entitling Lynk to an award of treble damages under 35 U.S.C. §284 and an award of its reasonable attorneys' fees under 35 U.S.C. § 285;

(e) For an award to Lynk of its costs; and

(f) For an award to Lynk of such other and further relief as the Court deems to be just and appropriate.

Plaintiff Lynk demands a trial by jury of all issues.

Plaintiff designates Kansas City, Kansas as the place of trial.

SHOOK, HARDY & BACON L.L.P.

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