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5 Attorneys for Plaintiff,
6 NU FLOW TECHNOLOGIES (2000) INC.

7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

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11 NU FLOW TECHNOLOGIES (2000)
12 INC.,

13 Plaintiff,

14 v.

15 A.O. REED & COMPANY, a California
corporation, and DOES 1-10,

16 Defendants.

Case No. '13CV1818 MMAJMA

Hon. _____

**COMPLAINT FOR PATENT
INFRINGEMENT**

REQUEST FOR JURY TRIAL

1 Plaintiff Nu Flow Technologies (2000) Inc., a Canadian corporation, for its
2 Complaint against A.O. Reed & Company, a California corporation, and Does 1-
3 10, alleges as follows:

4 **THE PARTIES**

5 1. Plaintiff Nu Flow Technologies (2000) Inc. (“Nu Flow” or
6 “Plaintiff”), is a corporation organized under the laws of Canada, having its place
7 of business in Oshawa, Ontario, Canada.

8 2. Upon information and belief, A.O. Reed & Company (“Reed”), is a
9 California corporation organized and existing under the laws of the State of
10 California, having a principal place of business at 4777 Ruffner Street, San Diego,
11 CA 92111.

12 3. The true names and capacities of the Defendants named herein as
13 Does 1 through 10, whether individual, corporate, associate, or otherwise, are
14 unknown to Plaintiff, who therefore sues said Defendants by said fictitious names.
15 Plaintiff is informed and believes, and thereon alleges, that each of the Defendants
16 designated herein as Doe is legally responsible for the events and happenings
17 hereinafter alleged and legally caused injury and damages proximately thereby to
18 Plaintiff as alleged herein. Plaintiff will seek leave to amend the Complaint when
19 the true names and capacities of said Doe Defendants have been ascertained. A.O.
20 Reed & Company and Does 1 through 10 are hereinafter collectively referred to as
21 “Defendants.”

22 4. Plaintiff is informed and believes, and on that basis alleges, that each
23 of the Defendants participated in and is in some manner responsible for the acts
24 described in this Complaint and any damages resulting therefrom.

25 5. Plaintiff is informed and believes, and on that basis alleges, that each
26 of the A.O. Reed & Company and Does 1 through 10 has acted in concert and
27 participation with each other concerning the claim in this Complaint.

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1 **FIRST CLAIM FOR RELIEF FOR PATENT INFRINGEMENT AGAINST**

2 **ALL DEFENDANTS**

3 **(Infringement of the '883 Patent)**

4 11. Plaintiff incorporates by reference each of the allegations in
5 paragraphs 1-10 above as if set forth in full herein.

6 12. Upon information and belief, Defendant Reed and Does 1-10 have,
7 without authorization, made, imported, used, offered for sale, and/or sold pipe
8 lining products and installation assemblies for installing and/or repairing a liner in
9 a pipeline that directly infringe the '883 Patent, both literally and/or under the
10 doctrine of equivalents (the "Accused Products").

11 13. Prior to filing suit, Plaintiff Nu Flow and its counsel sent Reed several
12 cease-and-desist letters requesting that Reed and Does 1 through 10 cease their
13 infringing activities, but Defendants have refused to do so. Therefore, their
14 infringement has been and continues to be deliberate and willful.

15 14. Upon information and belief, because of the acts of patent
16 infringement herein complained of, Defendants have made substantial profits to
17 which they are not entitled.

18 15. Plaintiff is entitled to recover from Defendants all damages it has
19 sustained as a result of Defendants' infringement of the '883 Patent.

20 16. Upon information and belief, Defendants' infringement of the '883
21 Patent will continue and will cause Plaintiff irreparable harm unless enjoined by
22 this Court. Plaintiff has no adequate remedy at law.

23 **SECOND CLAIM FOR RELIEF FOR PATENT INFRINGEMENT**

24 **AGAINST ALL DEFENDANTS**

25 **(Infringement of the '741 Patent)**

26 17. Plaintiff incorporates by reference each of the allegations in
27 paragraphs 1-16 above as if set forth in full herein.

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1 18. Upon information and belief, Defendant Reed and Does 1-10 have,
2 without authorization, made, imported, used, offered for sale, and/or sold pipe
3 lining products and installation assemblies for installing and/or repairing a liner in
4 a pipeline that directly infringe the '741 Patent, both literally and/or under the
5 doctrine of equivalents (the "Accused Products").

6 19. Prior to filing suit, Plaintiff Nu Flow and its counsel sent Reed several
7 cease-and-desist letters requesting that Reed and Does 1 through 10 cease their
8 infringing activities, but Defendants have refused to do so. Therefore, their
9 infringement has been and continues to be deliberate and willful.

10 20. Upon information and belief, because of the acts of patent
11 infringement herein complained of, Defendants have made substantial profits to
12 which they are not entitled.

13 21. Plaintiff is entitled to recover from Defendants all damages it has
14 sustained as a result of Defendants' infringement of the '741 Patent.

15 22. Upon information and belief, Defendants' infringement of the '741
16 Patent will continue and will cause Plaintiff irreparable harm unless enjoined by
17 this Court. Plaintiff has no adequate remedy at law.

18 **PRAYER FOR RELIEF**

19 WHEREFORE, Plaintiff requests judgment as to Defendants as follows:

20 A. Preliminary and permanent injunctions against further infringement of
21 the '883 and '741 Patents by Defendants;

22 B. An award in favor of Plaintiff of the damages it has sustained as a
23 consequence of Defendants' infringement of the '883 and '741 Patents pursuant to
24 35 U. S. C. § 284;

25 C. Find that Defendants' patent infringement has been willful and
26 increase the damages awarded to Nu Flow to three times the amount assessed
27 pursuant to 35 U. S. C. § 284;

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1 D. Find this to be an exceptional case and award Nu Flow's attorneys'
2 fees pursuant to 35 U. S. C. § 285;

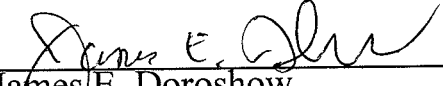
3 E. Award to Plaintiff interest and costs as fixed by the Court as to all
4 Defendants; and

5 F. Award to Plaintiff such other and further relief as this Court deems
6 just and proper.

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Dated: August 5, 2013

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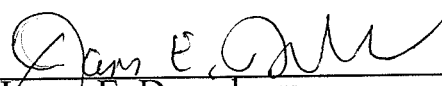
By 
James E. Doroshow
Attorneys for Plaintiff, NU FLOW
TECHNOLOGIES (200) INC.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff Nu Flow (2000) Inc. does hereby demand trial by jury of each and every issue or claims as to which it is entitled to trial by jury under Rule 38(a) of the Federal Rules of Civil Procedure.

Dated: August 5, 2013

FOX ROTHSCHILD LLP

By 
James E. Doroshov
Attorneys for Plaintiff, NU FLOW
TECHNOLOGIES (200) INC.

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