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RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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MARTIN L. FINEMAN, CA State Bar No. 104413  
DAVIS WRIGHT TREMAINE LLP  
505 Montgomery St., Ste. 800  
San Francisco, California 94111-3611  
Telephone: (415) 276-6500  
Facsimile: (415) 276-6599  
Email: martinfineman@dwt.com

RAYMOND P. NIRO  
FREDERICK C. LANEY, *Pro Hac Vice* Application forthcoming  
ASHLEY E. LaVALLEY, *Pro Hac Vice* Application forthcoming  
NIRO, HALLER & NIRO  
181 W. Madison, Suite 4600  
Chicago, Illinois 60602  
Phone: (312) 236-0733  
Fax: (312) 236-3137  
E-mail: [rniro@nshn.com](mailto:rniro@nshn.com)  
E-mail: [laney@nshn.com](mailto:laney@nshn.com)  
E-mail: [alavalley@nshn.com](mailto:alavalley@nshn.com)  
**Attorneys for Plaintiff ICON-IP PTY LTD.**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JCS

ICON-IP PTY LTD.,

Plaintiff,

v.

SPECIALIZED BICYCLE  
COMPONENTS, INC.,

Defendants.

CV 13 3677

COMPLAINT

JURY TRIAL DEMANDED

**COMPLAINT**

Plaintiff Icon-IP Pty Ltd. for its complaint against Defendant Specialized Bicycle  
Components, Inc. alleges as follows:

**NATURE OF THE SUIT**

1 1. This is a claim for patent infringement arising under the patent laws of the United  
2 States, Title 35 of the United States Code.

3 **PARTIES**

4 2. Icon-IP Pty Ltd. (“Icon” or “Plaintiff”) is an Australian proprietary limited  
5 company having its principal place of business at c/o Babbage & Co., Suite 5, 151 Riversdale  
6 Road, Hawthorn, 3122, Victoria, Australia.

7 3. Icon owns all right title and interest in, and has standing to sue for, infringement  
8 of United States Patent Nos. 6,378,938 (the “’938 Patent”), entitled “Cycle Seat,” and 6,254,180  
9 (the “’180 Patent”), entitled “Bicycle Seat.”

10 4. Specialized Bicycle Components, Inc. (“Specialized” or “Defendant”) is a  
11 California corporation with its headquarters located at 15130 Concord Circle, Morgan Hill, CA  
12 95037. Specialized is a world leader in manufacturing of bicycles and bicycle parts, including  
13 bicycle seats.

14 5. Defendant has infringed one or more claims of the ‘938 Patent and ‘180 Patent by  
15 manufacturing, selling, and/or offering to sell bicycle seats in the United States, including sales  
16 in California and this judicial district.

17 **JURISDICTION AND VENUE**

18 6. Plaintiff’s claims for patent infringement against Defendant arise under the patent  
19 laws of the United States, including 35 U.S.C. §271. Consequently, this Court has jurisdiction  
20 over the subject matter of this case for patent infringement under 28 U.S.C. § 1331 and 1338.

21 7. This Court has personal jurisdiction over Defendant because, in addition to having  
22 its principal place of business in this judicial district, Specialized has committed acts of patent  
23 infringement in California and this judicial district, such as the offer and sale of infringing  
24 bicycle seats to customers in California.

1 8. Venue is proper in this judicial district under 28 U.S.C. §§ 1400(b) and/or 1391.  
2 Defendant has its principal place of business in this judicial district and has committed acts of  
3 infringement in this district.

4 **PATENT INFRINGEMENT**

5 9. Specialized has directly infringed, without limitations, at least one claim of the  
6 '180 Patent, at least by manufacturing, using, selling, and offering to sell bicycle seats, including,  
7 but not limited to, seats identified by Specialized by the following product names: Alias, Ariel,  
8 Ariel SL, Avatar Gel, Avatar Team, BG Comfort, BG Comfort Plus, BG2 Sport, Dolce, Dolce  
9 Gel, Dolce Sport Gel, Jett, Lithia Gel, Milano Gel, Phenom, Phenom Gel, Phenom SL, Phenom  
10 Team, Phenom Ti Gel, Riva Road, Romin, Romin SL, Ruby, Sonoma Gel, Sonoma Sport,  
11 Toupe, S-Works BG Toupe Carbon, S-Works Toupe Carbon, Toupe Carbon, Toupe Gel, Toupe  
12 Team, TriTip Comp Gel, TriTip Expert Gel, TriTip Gel, TriTip SL Gel, TriTip Team Gel,  
13 Windie XC, and Windie XC Sport.

14 10. Specialized has directly infringed, without limitations, at least one claim of the  
15 '938 Patent, at least by manufacturing, using, selling, and offering to sell bicycle seats, including,  
16 but not limited to, seats identified by Specialized by the following product names: Alias, Ariel,  
17 Ariel Expert, Ariel SL, Avatar Gel, Avatar Team, BG Comfort, BG Comfort Plus, BG2 Sport,  
18 Dolce, Dolce Gel, Dolce Sport Gel, Format, Format SL, Henge, Henge SL, Indie, Indie Sport,  
19 Indie XC, Indie XC Sport, Jett, Lithia Gel, Milano Gel, Phenom, Phenom Gel, Phenom SL,  
20 Phenom Team, Phenom Ti Gel, Riva Road, Rival, Rival SL, Romin, Romin SL, Ruby, Sonoma,  
21 Sonoma Gel, Sonoma Sport, S-WORKS Toupe Carbon, Toupe Carbon, Toupe Gel, Toupe Team,  
22 TriTip Comp Gel, TriTip Expert Gel, TriTip Gel, TriTip SL Gel, TriTip Team Gel, Windie XC,  
23 and Windie XC Sport.

1 11. Defendant's infringement has injured Plaintiff, and Plaintiff is entitled to recover  
2 damages adequate to compensate them for such infringement, but in no event less than a  
3 reasonable royalty.

4 12. Plaintiff's injury will continue unless and until this Court enters an injunction  
5 against further infringement by Defendant.

6 13. Plaintiff has complied with any applicable provisions of 35 U.S.C. § 287.

7 **PRAYER FOR RELIEF**

8 WHEREFORE, Plaintiff Icon respectfully requests that this Court enter judgment against  
9 Defendant Specialized, and against any subsidiaries, successors, parents, affiliates, officers,  
10 directors, agents, servants, employees, and all persons in active concert or participation with it,  
11 granting the following relief:

12 A. The entry of judgment in favor of Icon on the claim of infringement of its '180  
13 Patent;

14 B. The entry of judgment in favor of Icon on the claim of infringement of its '938  
15 Patent;

16 C. An award of damages adequate to compensate Icon for the infringement of the  
17 '180 Patent and '938 Patent that has occurred (together with prejudgment interest from the date  
18 the infringement began), but in no event less than a reasonable royalty as permitted by 35 U.S.C.  
19 § 284;

20 D. A permanent injunction against further infringement of the '180 Patent;

21 E. A permanent injunction against further infringement of the '938 Patent;

22 F. A finding that this case is exceptional and an award to Icon of all relief provided  
23 by 35 U.S.C. § 285; and

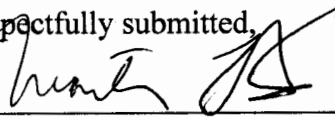
1 G. Such other and further relief that Icon is entitled to under law, and any additional  
2 relief that this Court or a jury may deem just and proper.

3 **JURY DEMAND**

4 Icon demands a trial by jury on all issues presented in this complaint.

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6 Dated: August 8, 2013

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8 Respectfully submitted,

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10 DAVIS WRIGHT TREMAINE LLP

11 NIRO, HALLER & NIRO