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7

8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 Fourte Design & Development, LLC, a
California limited liability company,

11 Plaintiff,

12 v.

13 Innolight Technology Corporation, a
14 Chinese corporation,

15 Defendant.

Case No. '13CV2871 LAB NLS

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

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17 Plaintiff Fourte Design & Development, LLC alleges as follows against
18 Defendant Innolight Technology Corporation:
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20 **PARTIES**

21 1. Plaintiff Fourte Design & Development, LLC (“Plaintiff”) is a
22 California limited liability company organized and existing under the laws of the
23 State of California, with offices at 7139 Koll Center Parkway, Suite 250, Pleasanton,
24 California 94566.

25 2. Defendant Innolight Technology Corporation (“Defendant”) is, on
26 information and belief, a Chinese corporation doing business in the United States,
27 the State of California and within this judicial district, including without limitation
28 by and through its subsidiary and/or affiliate companies, sales offices and research

1 and development (R&D) centers in San Jose, California, Sunnyvale, California and
2 Cupertino, California.

3 **JURISDICTION AND VENUE**

4 3. This is a civil action for patent infringement arising under the patent
5 laws of the United States, 35 U.S.C. sections 1, *et seq.*

6 4. This Court has subject matter jurisdiction pursuant to 28 U.S.C.
7 sections 1331 and 1338(a).

8 5. This Court has personal jurisdiction over Defendant and venue in this
9 judicial district is proper because, on information and belief, Defendant engages in
10 continuous and systematic business within the United States and within this judicial
11 district and/or Defendant has placed infringing products into the stream of
12 commerce by selling and/or offering to sell products into the United States and this
13 judicial district with knowledge that such products would be shipped into and/or
14 used in the United States and this judicial district.

15 **THE PATENT-IN-SUIT**

16 6. U.S. Patent No. 6,872,010, entitled "Fiber Optic Connector Release
17 Mechanism" (the "'010 Patent") was duly and legally granted on March 29, 2005.
18 A true and correct copy of the '010 Patent is attached as **Exhibit A**.

19 7. At all times relevant to this action, Plaintiff is and has been the owner,
20 by assignment, of all right, title and interest in the '010 Patent.

21 **COUNT I—INFRINGEMENT OF U.S. PATENT NO. 6,872,010**

22 8. Plaintiff re-alleges and incorporates paragraphs 1 through 7 above.

23 9. On information and belief, Defendant has been and is now directly
24 infringing the '010 Patent pursuant to 35 U.S.C. section 271(a) in the State of
25 California, this judicial district and elsewhere in the United States by designing,
26 making, manufacturing, operating, using, offering for sale, and/or selling within the
27 United States and/or importing into the United States, one or more devices (the
28 "Infringing Devices") that are covered by the inventions claimed in the '010 Patent.

1 6. Awarding Plaintiff such other and further relief as this Court deems just
2 and equitable.

3 DATED: December 3, 2013

SOLOMON WARD SEIDENWURM &
SMITH, LLP

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Bv: /s/TANYA M. SCHIERLING
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Attorneys for Plaintiff Fourte Design &
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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury trial of all claims triable by a jury.

DATED: December 3, 2013

SOLOMON WARD SEIDENWURM &
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