

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

**I.E.E. INTERNATIONAL
ELECTRONICS & ENGINEERING,
S.A.,**

Plaintiff,

v.

TK HOLDINGS INC.,

Defendant.

Case No.

Honorable

JURY TRIAL DEMANDED

**COMPLAINT FOR PATENT INFRINGEMENT
AND JURY DEMAND**

I. THE PARTIES

1. Plaintiff, I.E.E. International Electronics & Engineering, S.A. (“IEESA”), is a corporation organized and existing under the laws of Luxembourg, with its headquarters and primary place of business located ZAE Weiergewan, 11, rue Edmond Reuter, L-5326 Contern, Luxembourg.

2. Defendant, TK Holdings Inc., is a Delaware corporation, having business addresses in this judicial district at 2500 Takata Drive, Auburn Hills, Michigan 48326-2636 and 2600 Centerpoint Parkway, Pontiac, MI 48341.

II. JURISDICTION

3. The patent infringement claims pleaded herein arise under 35 U.S.C. § 271.

4. Subject matter jurisdiction for the patent infringement claims is conferred upon the Court pursuant to 28 U.S.C. § 1338(a).

**III. COUNT ONE
PATENT INFRINGEMENT
U.S. PATENT NO. 7,671,740**

5. On March 2, 2010, U.S. Patent No. 7,671,740 (“the ‘740 patent”) was duly and lawfully issued for “Capacitive Transmitter Electrode.”

6. IEESA is the owner by assignment of the ‘740 patent, as evidenced by the records of the Assignment Branch of the United States Patent and Trademark Office.

7. Defendant TK Holdings Inc. has, without authorization of plaintiff IEESA, made, used, sold, and/or offered for sale, within the United States, automotive safety systems, including without limitation the CS3 product, covered by one or more of the claims of the ‘740 patent, during the term of the ‘740 patent.

8. The CS3 product is specifically designed and intended only for use in a vehicle seat.

9. TK Holdings Inc. has knowledge that the CS3 product is specifically designed for and intended only for use in a vehicle seat.

10. IEESA has placed TK Holdings Inc. on notice of its infringement of the ‘740 patent.

11. By its conduct, TK Holdings Inc. has infringed, directly, contributorily and/or by inducement, the ‘740 patent.

12. Upon information and belief, TK Holdings Inc.'s infringement has been willful.

13. Plaintiff IEESA has been harmed, both pecuniarily and irreparably, by the infringing conduct of defendant TK Holdings Inc.

14. Defendant TK Holdings Inc.'s infringing conduct will continue unless enjoined by the Court.

**IV. COUNT TWO
PATENT INFRINGEMENT
U.S. PATENT NO. 8,049,520**

15. IEESA repeats and realleges the allegations of paragraphs 1 – 14, as if fully set forth herein.

16. On November 1, 2011, U.S. Patent No. 8,049,520 (“the ‘520 patent”) was duly and lawfully issued for “System For Capacitive Detection Of a Seat Occupancy.”

17. IEESA is the owner by assignment of the ‘520 patent, as evidenced by the records of the Assignment Branch of the United States Patent and Trademark Office.

18. Defendant TK Holdings Inc. has, without authorization of plaintiff IEESA, made, used, sold, and/or offered for sale, within the United States, vehicle seats containing a system for capacitive detection of seat occupancy, including without limitation the CS3 product, covered by one or more of the claims of the ‘520 patent, during the term of the ‘520 patent.

19. The CS3 product is specifically designed and intended only for use in a vehicle seat.

20. TK Holdings Inc. has knowledge that the CS3 product is specifically designed for and intended only for use in a vehicle seat.

21. IEESA has placed TK Holdings Inc. on notice of its infringement of the '520 patent.

22. By its conduct, TK Holdings Inc. has infringed, directly, contributorily and/or by inducement, the '520 patent.

23. Upon information and belief, TK Holdings Inc.'s infringement has been willful.

24. Plaintiff IEESA has been harmed, both pecuniarily and irreparably, by the infringing conduct of defendant TK Holdings Inc.

25. Defendant TK Holdings Inc.'s infringing conduct will continue unless enjoined by the Court.

V. DEMAND FOR RELIEF

WHEREFORE, plaintiff IEESA demands entry of judgment against defendant TK Holdings Inc., granting relief as follows:

A. A determination that TK Holdings Inc. has infringed the '740 patent and the '520 patent;

B. A determination that such infringement has been willful and deliberate;

C. An award of damages adequate to compensate for such infringement;

D. An enhancement of the compensatory damages, up to three (3) times;

E. An order preliminarily and permanently enjoining TK Holdings Inc., its officers, agents, servants, employees, contractors, suppliers and attorneys, and upon those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise, from committing further acts of infringement of the '740 patent and the '520 patent;

F. A determination that this case is "exceptional," in the sense of 35 U.S.C. § 285;

G. An award in favor of plaintiff IEESA, and against defendant TK Holdings Inc., for the costs incurred in bringing and maintaining this action, including reasonable attorneys' fees; and

H. Such other, further, and different relief as may be just and equitable on the proofs.

VI. JURY DEMAND

Plaintiff IEESA hereby demands trial by jury for all issues so triable.

Respectfully submitted,

BROOKS KUSHMAN P.C.

Date: December 20, 2013

By: /s/ Frank A. Angileri
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