

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

**EAST COAST SHEET METAL  
FABRICATING CORP.,  
d/b/a EASTCOAST CAD/CAM,**

**Plaintiff,**

**v.**

**AUTODESK, INC.,**

**Defendant.**

**Civil No. 1:12-cv-517-LM**

**THIRD AMENDED COMPLAINT**

The plaintiff, East Coast Sheet Metal Fabricating Corp. d/b/a EastCoast CAD/CAM (“EastCoast”), alleges in the afore-captioned matter as follows:

**THE PARTIES**

1. EastCoast is a New York corporation with a principal place of business at 33 Boston Road West, Marlborough, MA 01752.
2. The defendant, Autodesk, Inc. (“Autodesk”), upon information and belief, is a Delaware corporation having a principal place of business at 111 McInnis Parkway, San Rafael, California 94903 and 100 Commercial Street, Suite 301, Manchester, New Hampshire 03101.

**NATURE OF THE ACTION**

3. This is a civil action for patent infringement.

### **JURISDICTION AND VENUE**

4. This action arises under the patent laws of the United States (35 U.S.C. § 1, et seq.). This court has subject matter jurisdiction pursuant to 28 U.S.C. § 1338.
5. Venue is proper in this Judicial District pursuant to 28 U.S.C. §§ 1391 & 1400.

### **THE PATENTS IN SUIT AND THE ACCUSED PRODUCTS**

6. EastCoast is the owner by assignment of U.S. Patent Nos. 7,917,340 ('340 Patent) (Ex. 1); 7,499,839 ('839 Patent) (Ex. 2); and 8,335,667 ('667 Patent) (Ex. 3) (collectively "the EastCoast Patents").
7. EastCoast has manufactured and sold products that practice the claims of the EastCoast patents. Such products have been marked substantially and consistently with the EastCoast patent numbers as of the issue date of each such patent.
8. Prior to its October 2011 acquisition of Micro Application Packages, Ltd. ("MAP"), Autodesk manufactured and sold AutoCAD MEP and Revit MEP software products.
9. Since its October 2011 acquisition of MAP, Autodesk has been manufacturing and offering for sale FABmep (rebranded by Autodesk as Fabrication FABmep) and CADmep (rebranded by Autodesk as Fabrication CADmep) software products.

### **COUNT I – PATENT INFRINGEMENT**

10. EastCoast repeats and incorporates by reference the allegations set forth in paragraphs 1 to 9 above.
11. Autodesk has directly and literally infringed the East Coast Patents under 35 U.S.C. § 271(a) with the following combinations of Autodesk products: a) AutoCAD MEP in combination with Fabrication FABmep; b) AutoCAD MEP in combination with Fabrication CADmep; c) AutoCAD MEP in combination with Fabrication FABmep and Fabrication CADmep; d) Revit

MEP in combination with Fabrication FABmep; e) Revit MEP in combination with Fabrication CADmep; and f) Revit MEP in combination with Fabrication FABmep and Fabrication CADmep.

12. EastCoast has been injured by Autodesk's infringement.

13. Autodesk's infringement has been willful.

WHEREFORE, EastCoast respectfully requests:

- a) entry of judgment against Autodesk on EastCoast's claim for patent infringement;
- b) an injunction against Autodesk prohibiting future patent infringement;
- c) damages sufficient to compensate EastCoast for Autodesk's patent infringement;
- d) treble damages for Autodesk's willful infringement;
- e) attorney fees pursuant to 35 U.S.C. § 285;
- f) interest and costs; and
- j) all other relief the Court deems just and proper.

October 17, 2014

**EAST COAST SHEET METAL FABRICATING  
CORP., d/b/a EASTCOAST CAD/CAM**

By Its Attorneys,

RATH, YOUNG AND  
PIGNATELLI, P.C.

STADHEIM & GREAR LTD.

/s/ Michael S. Lewis  
Michael S. Lewis, Esquire  
(NH Bar No. 16466)  
One Capital Plaza  
Concord, NH 03302-1500  
(603) 226-2600

/s/ George C. Summerfield  
Rolf O. Stadheim  
George C. Summerfield  
Kyle L. Harvey  
400 North Michigan Avenue, Suite 2200  
Chicago, Illinois 60611  
(312) 755-4400

**DEMAND FOR JURY TRIAL**

Pursuant to Fed. R. Civ. P. 38(b), plaintiff, East Coast Sheet Metal Fabricating Corp. d/b/a EastCoast CAD/CAM, demands a jury trial of all issues properly triable to a jury in this case.

Dated: October 17, 2014

**STADHEIM & GREAR LTD.**

400 N. Michigan Avenue  
Chicago, Illinois 60611  
312-755-4400

By: /s/ George C. Summerfield  
George C. Summerfield