

patented intelligent power/dimming technology, which are currently used; for example, to light the Whitehouse Press Briefing Room, as well as television studios for major TV broadcasters including CBS and CNBC. Unfortunately, ThinkTank's founders/inventors have also experienced widespread unauthorized use of their patented LED lighting inventions.

3. Defendant Energizer is a corporation organized and existing under the laws of Missouri with a principal place of business at 533 Maryville University Drive, in St. Louis, Missouri, 63141. Defendant manufactures and/or sells Light Emitting Diode products including, but not limited to, the Light Fusion line of LED lighting products and Energizer LED Camera Lights. Additional information on Defendant is located at www.energizer.com. Defendant may be served with process through its registered agent, C T Corporation System, at 120 South Central Avenue, Clayton, Missouri 63105.

JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the provisions of the Patent Laws of the United States of America, Title 35, United States Code. Accordingly, this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338(a), and 1367.

5. The Court has personal jurisdiction over Defendant, including because Defendant has minimum contacts within the State of Texas; Defendant has purposely availed itself of the privileges of conducting business in the State of Texas; Defendant regularly conducts business within the State of Texas; and ThinkTank's cause of action arises directly from Defendant's business contacts and other activities in the State of Texas. Further, Defendant has an interactive website that is accessible from the State of Texas and the Eastern District of Texas.

6. Defendant is further subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to

Defendant's substantial business in this District, including: (i) at least a portion of the infringements alleged herein; and/or (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this District. In addition, according to LinkedIn, Defendant employs numerous personnel within the State of Texas.

7. Venue is proper in this Judicial District under 28 U.S.C. §§ 1391(b), (c), and (d) and 1400(b). On information and belief, Defendant has transacted business in this district, and has committed acts of patent infringement in this district.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 8,299,726

8. On October 30, 2012, U.S. Patent No. 8,299,726 ("the '726 patent") was duly and legally issued by the United States Patent and Trademark Office for an invention entitled "Omni Voltage Direct Current Power Supply," (attached hereto as Exhibit A).

9. Plaintiff is the owner of the '726 patent with all substantive rights in and to that patent, including the sole and exclusive right to prosecute this action and enforce the '726 patent against infringers, and to collect damages for all relevant times.

10. Defendant has and is directly infringing the '726 patent.

11. Defendant directly and/or via intermediaries, made, has made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems (including, but not limited to the Energizer LED Folding Lantern and Energizer LED Dimmable Video Lights) that are covered by one or more claims of the '726 patent. Specifically, Defendant's accused products and/or systems includes dimmable power management technology and falls within the scope of one or more claims of the '726 patent either literally or under the doctrine of

equivalents. Defendant's infringement is also evidenced by the description of its infringing product displayed on Defendant's website, which describes the components covered by one or more claims of United States Patent No. 8,299,726. *See, e.g.*, Energizer Dimmable "LED Lantern," <http://www.energizer.com/flashlights-lighting/folding-lantern> (Listing as features: "Smart Dimming technology for full control of brightness and runtime").

12. Defendant's aforesaid activities have been without authority and/or license from ThinkTank, and Defendant is thus liable for infringement of the '726 Patent under 35 U.S.C. § 271.

13. Defendant will continue to infringe the '726 patent by making, selling, and/or using Light Emitting Diode based equipment that embodies the patented invention unless enjoined by this Court.

14. Plaintiff is entitled to recover from Defendant the damages sustained by ThinkTank as a result of Defendant's wrongful acts in an amount subject to proof at trial, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this court under 35 U.S.C. § 284.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rules of Civil Procedure and Eastern District of Texas Local Rule 38, Plaintiff demands a trial by jury for all issues in this case.

PRAYER FOR RELIEF

Plaintiff ThinkTank requests that the Court find in its favor and against Defendant, and that the Court grant Plaintiff the following relief:

A. Judgment that one or more claims of the Patent-in-Suit has been infringed, either

literally and/or under the doctrine of equivalents, by Defendant and/or all others acting in concert therewith;

B. Defendant account for and pay to Plaintiff all damages caused by its infringement of the Patent-in-Suit in accordance with 35 U.S.C. § 284;

C. Plaintiff be granted permanent injunctive relief pursuant to 35 U.S.C. § 283 enjoining each Defendant, its officers, agents, servants, employees and those persons in active concert or participation with them from further acts of patent infringement;

D. Plaintiff be granted pre-judgment and post-judgment interest on the damages caused to it by reason of each Defendant's patent infringement complained of herein; and,

E. Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

Respectfully submitted,

Date: March 20, 2015

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