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10  
11 **IN THE UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 FRANK M. WEYER, )  
14 Plaintiff, ) Civil Action No. 2:15-cv-5997  
15 v. )  
16 GENERAL MOTORS )  
17 COMPANY, a Delaware ) **COMPLAINT FOR PATENT**  
18 corporation ) **INFRINGEMENT**  
19 Defendant ) **DEMAND FOR JURY TRIAL**

20 COMES NOW, Plaintiff FRANK M. WEYER and on information and belief  
21 alleges as follows:

22 **JURISDICTION AND VENUE**

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24 1. This is an action for patent infringement under 35 U.S.C. §§ 271 et. seq.  
25 and 28 U.S.C. §§ 1331 and 1338(a).

26 2. The acts of patent infringement alleged herein occurred within this  
27 judicial district. Therefore, venue is proper pursuant to 28 U.S.C. §§ 1391(b), (c), and  
28 1400(b).

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**PARTIES**

3. Plaintiff Frank M. Weyer is an individual with a residence in Los Angeles, California.

4. Defendant GENERAL MOTORS COMPANY (“GM”) is a corporation with a place of business at 300 Renaissance Center, Detroit, Michigan.

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**FIRST CAUSE OF ACTION**  
**PATENT INFRINGEMENT**

5. Plaintiff incorporates by reference paragraphs 1 – 4 as though fully set forth herein.

6. Plaintiff is the owner of U.S. Patent No. 5,975,728 issued on Nov. 2, 1999 for “Method and Apparatus for Providing User Selectable Multi-Color Automobile Instrument Panel Illumination” (“the ‘728 patent”).

7. The ‘728 Patent is valid and in full force and effect.

8. The ‘728 Patent is directed to automobile instrument panel illumination system that allows the user to select the color of illumination provided to an automobile’s instrument panel.

9. Plaintiff has successfully enforced the ‘728 patent against several defendants.

10. Plaintiff sued Ford Motor Company (“Ford”) for infringing the ‘728 patent through making, using, and selling the MyColor dashboard illumination system used in Ford’s Mustang in the action entitled Frank M. Weyer v. Ford Motor Company, Civil Action No. CV 04-08630 CBM (SHX) in the United States District Court for the Central District of California (“Ford Lawsuit”).

11. The Ford Lawsuit was resolved by Ford taking a non-exclusive license to the ‘728 patent.

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12. Plaintiff sued Harley Davidson Motor Co. (“Harley”) for infringing the ‘728 patent in the action entitled Frank M. Weyer v. Harley Davidson Motor Co., Civil Action No. CV 07-02602 DDP (Ex) in the United States District Court for the Central District of California (“Harley Lawsuit”).

13. The Harley Lawsuit was resolved by Harley taking a non-exclusive license to the ‘728 patent.

14. Plaintiff sued Autosales Incorporated d/b/a Summit Racing Equipment (“Summit Racing”) and Auto Meter Products, Inc. (“Auto Meter”) for infringing the ‘728 patent in the action entitled Frank M. Weyer v. Autosales Incorporated d/b/a Summit Racing Equipment and Auto Meter Products, Inc., Civil Action No. CV 12-8410 DDP (PJWx) in the United States District Court for the Central District of California (“Summit Auto Meter Lawsuit”).

15. The Summit Auto Meter Lawsuit was resolved under terms that are confidential.

16. Plaintiff sued The Pep Boys – Manny, Moe & Jack and Make Waves Instrument Corp. for infringing the ‘728 patent in the action entitled Frank M. Weyer v. The Pep Boys – Manny, Moe & Jack et al., Civil Action No. CV-12-10693 DDP (RZx) in the United States District Court for the Central District of California (“Pep Boys Make Waves Lawsuit”).

17. The Pep Boys Make Waves Lawsuit was resolved under terms that are confidential.

18. Defendant GM has infringed, and continues to infringe, the ‘728 patent directly pursuant to 35 U.S.C. §271 by making, using, offering for sale and selling, without the consent of the Plaintiff, the 2016 Chevrolet Camaro, which includes a dashboard lighting system called “Interior Spectrum Lighting” that infringes at least claims 1, 3, 4, 5, 10, 12, 13, 15, 16 and 17 of the ‘728 patent.

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2 19. Defendants' infringement of Plaintiff's patent rights has irreparably  
3 damaged Plaintiff and will continue to cause irreparable harm unless enjoined by the  
4 Court.

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6 **DEMAND FOR RELIEF**

7 **WHEREFORE**, Plaintiff asks this Court to:

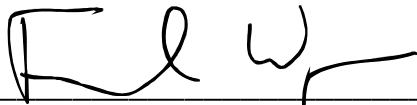
- 8 a. Enter judgment for Plaintiff against Defendant on this Complaint;  
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10 b. Enter a preliminary and permanent injunction to enjoin Defendant, and  
11 all those in privity with Defendant, from further infringement of the '728 Patent  
12 during the remaining term of the patent;  
13 c. Award compensatory damages to Plaintiff and to increase said damages  
14 three times in accordance with 35 U.S.C. § 284;  
15 d. Award Plaintiff reasonable attorneys' fees in accordance with 35 U.S.C.  
16 § 285;  
17 e. Award Plaintiff interest and costs; and  
18 f. Award Plaintiff such other and further relief as is just and proper.  
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2 DEMAND FOR JURY TRIAL

3 Plaintiff hereby demands a trial by jury of all issues so triable.  
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5 Respectfully submitted,  
6 **TECHCOASTLAW®**

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8 Dated: August 7, 2015

9 By:  \_\_\_\_\_

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