

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Power Regeneration, LLC,

Plaintiff,

v.

**Mazda Motor of America, Inc., doing business
as Mazda North American Operations Inc.,**

Defendant.

Case No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Power Regeneration, LLC, (“Plaintiff” or “REGEN”), by and through its undersigned counsel, for its Complaint against Defendant, Mazda Motor of America, Inc., doing business as Mazda North American Operations Inc., (“Defendant”) makes the following allegations. These allegations are made upon information and belief.

NATURE OF THE ACTION

1. This is an action to stop Defendant’s infringement of United States Patent Number 7,085,123 (the “123 Patent”).

PARTIES

2. Plaintiff Power Regeneration, LLC is a Texas limited liability company with its principal office located in Texas, at 719 W. Front Street, Suite 211, Tyler, Texas 75702.

3. Defendant Mazda Motor Of America, Inc., doing business as Mazda North American Operations Inc., is a California Corporation incorporated under the laws of the State of California and has an office and principal place of business at 7755 Irvine Ctr, Dr., Irvine, CA 92618. Upon information and belief; Mazda Motor Corporation of America, Inc. may be served via its registered agent, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, TX 75201.

JURISDICTION AND VENUE

4. This patent infringement action arises under the patent laws of the United States, including 35 U.S.C. §§ 271, et seq.

5. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because it arises under United States Patent law.

6. This Court has personal jurisdiction over the Defendant because they (either directly or through their subsidiaries, divisions, groups or distributors) have sufficient minimum contacts with the forum as a result of business conducted within the State of Texas and this district; and/or specifically over the Defendant (either directly or through their subsidiaries, divisions, groups or distributors) because of their infringing conduct within or directed at the State of Texas and this district. At a minimum, upon information and belief, Defendant has offered for sale cars incorporating the systems that infringe on the '123 Patent in the State of Texas and this district.

7. Venue is proper in this district pursuant to 28 U.S.C. §1391(c) and 1400(b) because Defendant is deemed to reside in this district. In addition, at a minimum, Defendant is subject to this Court's personal jurisdiction in the acts and transactions including the sale of cars which incorporate the technology covered by the patents identified herein through the State of Texas and this district.

FACTS

8. REGEN is the owner, by assignment, of U.S. Patent No. 7,085,123 ("the '123 Patent"), entitled "Power Supply Apparatus and Power Supply Method," which was duly and legally issued on August 1, 2006, by the United States Patent and Trademark Office.

9. A copy of United States Patent Number 7,085,123 is attached to this Complaint as Exhibit A.

10. The claims of the '123 Patent are valid and enforceable.

**COUNT I: CLAIM FOR PATENT INFRINGEMENT
UNDER 35 U.S.C. § 271 ('123 PATENT)**

11. REGEN hereby incorporates by reference the allegations of paragraphs 1 through 10 of this Complaint as if fully set forth herein.

12. Defendant makes, has made, sells, offers for sale, used and/or imports into the United States energy storage system for consumer vehicle systems using regenerative braking, including without limitation the i-Eloop regenerative braking system (the "i-Eloop System").

13. Defendant's i-Eloop System infringes on at least Claim 1 of the '123 patent.

14. Defendant makes, has made, sells, offers for sale, used and/or imports into the United States consumer cars incorporating the i-Eloop System, including without limitation, the 2014 Mazda 3, the 2014 Mazda 6, the 2015 Mazda 3, the 2015 Mazda 6, the 2016 Mazda 3 and the 2016 Mazda 6.

15. REGEN has been, and will continue to be, irreparably harmed by Defendant's ongoing infringement of the '123 patent.

16. As a direct and proximate result of Defendant's infringement of the '123 Patent, REGEN has been and will continue to be damaged in an amount yet to be determined, including but not limited to a reasonable royalty.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief against Defendant as follows:

- A. In favor of Plaintiff that Defendant has infringed the '123 Patent;
- B. Requiring Defendant to pay Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the '123 Patent as provided under 35 U.S.C. § 284; but not less than a reasonable royalty; and
- C. For such other and further relief as may be just and equitable.

DEMAND FOR TRIAL BY JURY

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby demands a jury trial on all issues and causes of action triable to a jury.

DATED: November 5, 2015

Respectfully submitted,

By: _____

Rasheed M. McWilliams

rasheed@cotmanip.com

Daniel Cotman

dan@cotmanip.com

Obi I. Iloputaife

obi@cotmanip.com

Cotman IP Law Group, PLC

35 Hugus Alley, Suite 210

Pasadena, CA 91103

(626) 405-1413/FAX (626) 316-7577

Todd Y. Brandt

TX SB # 24027051

BRANDT LAW FIRM

222 North Fredonia St.

Longview, Texas 75601

Telephone: (903) 212-3130

Facsimile: (903) 753-6761

tbrandt@thebrandtlawfirm.com

Attorneys for Power Regeneration, LLC