



3. Defendant SPN Investments, Inc. d/b/a Einflatables.com has an office and principal place of business at 12405 Telegraph Road, Santa Fe Springs, CA 90670.

### **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 inflatable water slides that infringe on the claims of '895 Patent, and targeted sales in the State of Texas and in this district through their webpage [www.einflatables.com](http://www.einflatables.com).

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 inflatable water slides which incorporate the technology covered by the claims of the '895 Patent throughout the State of Texas and this district.

### **FACTS**

8. Plaintiff is the owner, by assignment, of the '895 Patent, entitled "Water Slide with Banked Curve Obstacle Region," which was duly and legally issued on January 29, 2013, by the United States Patent and Trademark Office.

9. A copy of the '895 Patent is attached to this Complaint as Exhibit A.
10. The claims of the '895 Patent are valid and enforceable.

### **COUNT I**

#### **CLAIM FOR PATENT INFRINGEMENT**

##### **UNDER 35 U.S.C. § 271 ('895 PATENT)**

11. Plaintiff 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 inflatable water slides, including without limitation the 37" Shipwreck A, B, C with Pool, 22' Corkscrew Fire with Pool, Corkscrew Fire and Landing, Corkscrew with Pool, Corkscrew with Landing, 27' Hurricane slide with pool 825, 27' Hurricane Slide with Landing 826, 18' Wild Rapids Slide with Pool, 18' Wild Rapids Slide with Landing, 18' Monster Wave Slide with Pool, 18' Monster Wave Slide with Landing, 22' Wild Rapids Slide with pool, 22' Wild Rapids Slide with Landing, 22" Monster Wave Water Slide with Pool, 22" Monster Wave Water Slide with Landing, Dolphin Wild Splash with Pool, Dolphin Wild Splash with Landing, Tropical Wild Splash pool, Tropical Wild Splash with Landing Water, Big Dipper with Pool Water Slide, Big Dipper with Landing Water Slide, Big Dipper Tropical with pool, Big Dipper Tropical with Landing, Inflatable water slide Double Dipper with Pools, Inflatable Water Slide Double Dipper with Landings, Inflatable Double Dipper Tropical With Pools, Inflatable Double Dipper Tropical With Landings, Vortex with Pool Inflatable Water Slide, Vortex with Landing Inflatable Slide, Vortex Tropical with Pool Inflatable Slide, Vortex Tropical with Landing Inflatable Slide, 36" Blue Crush Dual Lane Slide with Twist Landing, 36" Blue Crush Dual Lane Slide with Twist pool, 18' Monster Wave Fire with Pool, 18' Monster Wave Fire with Landing, 18' Wild Rapids Fire with

Landing and 18' Wild Rapids Fire with Pool. (collectively the "Curved Inflatable Water Slide System"). See, Exhibit B, Exhibit C and Exhibit D.

13. Defendant's Curved Inflatable Water Slide System infringes on at least claim 1 of the '895 patent.

14. Unless enjoined by this Court, Defendant will continue to infringe the '895 patent.

15. Plaintiff has been, and will continue to be, irreparably harmed by Defendant's ongoing infringement of the '895 patent.

16. As a direct and proximate result of Defendant's infringement of the '895 Patent, Plaintiff has been and will continue to be damaged in an amount yet to be determined, including Plaintiff's lost profits, reasonable royalties or both.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays for relief against Defendant as follows:

A. In favor of Plaintiff that Defendant has infringed the '895 Patent;

B. Requiring Defendant to pay Plaintiff its damages, costs, expenses, and pre-judgment and post judgment interest for Defendant's infringement of the '895 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.

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**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 30, 2015

Respectfully submitted,

/s/ Daniel C. Cotman

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