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VSR Industries, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

VSR INDUSTRIES, INC., a Nevada
corporation,

Plaintiff,

v.

AMERICAN ENGINEERED PRODUCTS,
LLC, a South Dakota limited liability company,

Defendant.

Case No.: 2:16-cv-00892

COMPLAINT

(JURY DEMAND)

**(ASSIGNMENT TO PATENT
PROGRAM JUDGE REQUESTED)**

For its Complaint, Plaintiff VSR Industries, Inc. (“Plaintiff”) alleges the following.

JURISDICTION AND VENUE

1. The Court has subject matter jurisdiction, pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action alleges claims for patent infringement arising under the laws of the United States. There is also diversity of citizenship under 28 U.S.C. § 1332.

2. The Court has personal jurisdiction over Defendant American Engineered Products, LLC (“Defendant”) because Defendant, itself, or its authorized agents, employees, and officers, has regularly and systematically caused or contributed to the manufacture, use, sale, offer for sale, and/or importation into the United States of products that infringe United States Patent No. 9,275,511 (“the ’511 Patent”) in and throughout the several United States, and particularly in Nevada where Defendant expressly aimed its infringing conduct knowing that Plaintiff was located in Nevada and would suffer injury and harm in Nevada

1 3. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b) and 1400(b).

2 **PARTIES**

3 4. Plaintiff is a Nevada corporation with its principal place of business at 6190
4 Mountain Vista Street, Henderson, Nevada, 89014. Plaintiff is in the business of inventing,
5 fabricating, and selling various types of security locks, gaming cabinets, and bases for mounting
6 slot machines and other casino gaming devices. Established in 1969, Plaintiff has grown from a
7 locksmith operation into a full-scale manufacturing facility with two hundred employees spread
8 across eight locations throughout the United States and abroad. Plaintiff is an industry leader in
9 providing the highest quality and most innovative gaming solutions for original equipment
10 manufacturers and casino operators around the world.

11 5. On information and belief, defendant American Engineered Products, LLC (defined
12 above as “Defendant”) is a South Dakota limited liability company with its principal place of
13 business at 605 4th Street S.E., De Smet, South Dakota, 57231. Defendant manufactures and
14 distributes bases for mounting slot machines and other casino gaming devices throughout the
15 United States, including in the District of Nevada.

16 **FACTS**

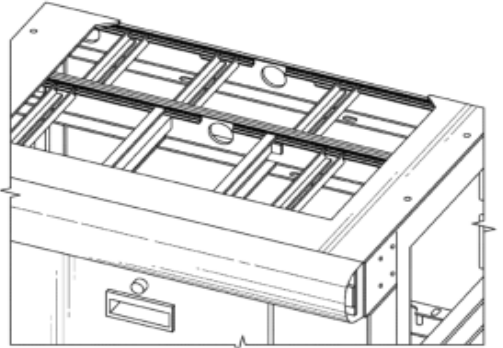

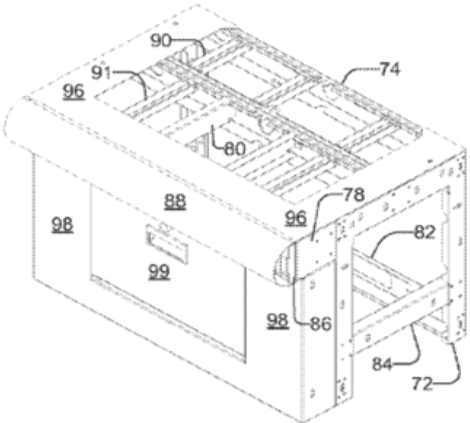

17 6. The U.S. Patent and Trademark Office duly and legally issued the ’511 Patent on
18 March 1, 2016. A true and accurate copy of the ’511 Patent is attached hereto as Exhibit A.

19 7. The ’511 Patent claims, among other things, a slot machine base. The claimed base
20 comprises a support structure, a plurality of channels coupled to a top of the support structure, and
21 a plurality of slidable mounting brackets each having a first end and a second end. The first end of
22 each slidable mounting bracket of the claimed base is slidably coupled to a first channel from
23 among the plurality of channels. The second end of each slidable mounting bracket of the claimed
24 base is slidably coupled to a second channel from among the plurality of channels. The slidable
25 mounting brackets of the claimed base are slidable to correspond to a plurality of different
26 configurations of attachment points disposed on a plurality of different slot machines.

27 8. Plaintiff is the owner of the entire right, title, and interest in and to the ’511 Patent.

28 9. Defendant has infringed and continues to infringe the ’511 Patent in violation of 35

1 U.S.C. § 271 by manufacturing, importing into the United States, using, selling, and/or offering
 2 for sale infringing products, which infringe at least claims 1, 14, and 16 of the '511 Patent (the
 3 "Infringing Products"). The Infringing Products include at least Defendant's "Chameleon
 4 Premier" and "Chameleon Pinnacle" brand slot base models. For example, below are figures from
 5 the '511 Patent displaying example embodiments of the claimed invention, next to images of
 6 Defendant's Infringing Products:

<p>7</p> <p>8 FIGURES FROM '511 PATENT</p>	<p>IMAGES OF DEFENDANT'S INFRINGING PRODUCTS</p>
<p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p>  <p>FIG. 17</p>	<p>17</p>  <p>Chameleon Premier</p>
<p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p>  <p>FIG. 21D</p>	<p>27</p> <p>28</p>  <p>Chameleon Pinnacle ></p>

1 10. Defendant has had actual notice of the '511 Patent and Defendant's infringement
2 thereof since at least March 1, 2016 when Plaintiff sent Defendant a cease and desist letter.

3 11. Among other infringing actions, Defendant manufactures and/or imports the
4 Infringing Products into the United States. Defendant also offers to sell the Infringing Products at
5 its website <http://www.aeproducts.com/aeplotbases/chameleon.html>, which is accessible to
6 consumers within this judicial district. Moreover, after receiving notice of the '511 Patent and
7 Defendant's infringement thereof on March 1, 2016, Defendant continued to offer Infringing
8 Products for sale in this judicial district and, upon information and belief, proceeded to actually
9 sell Infringing Products to one or more casino operators with knowledge that the casino operator's
10 use of the Infringing Products would infringe the '511 Patent.

11 12. Upon information and belief, Defendant employs one or more sales representatives
12 tasked with offering to sell and selling the Infringing Products to casino operators in this judicial
13 district. Upon information and belief, Defendant has sold the Infringing Products to casino
14 operators in this judicial district. Upon information and belief, Defendant has on more than one
15 occasion advertised and promoted the Infringing Products to casino operators in this judicial
16 district, including, without limitation, through a booth and product display at the annual Global
17 Gaming Expo (commonly referred to as "G2E") in Las Vegas Nevada. Upon information and
18 belief, Defendant has, for example, advertised and promoted the Infringing Products in this
19 judicial district at Booth #1316 at G2E 2015.

20 13. Defendant's Infringing Products are a knock-off of Plaintiff's EZ Universal Sliding
21 Bracket System™. Despite receiving Plaintiff's letter on March 1, 2016 alleging infringement of
22 the '511 Patent, Defendant has continued to infringe the '511 Patent through (at least) the
23 continued sales and offers to sell Infringing Products in the United States. Defendant's
24 infringement has been willful and deliberate and has continued without a reasonable basis or
25 justification.

26 **COUNT I - PATENT INFRINGEMENT**

27 14. Plaintiff incorporates and realleges the foregoing paragraphs as if fully set forth
28 herein.

