

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

COASTAL RACKS, LLC,

Plaintiff,

v.

**E-Z-GO (a division of TEXTRON, INC.),
and TEXTRON, INC.**

Defendants.

Civil Action No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Coastal Racks, LLC (“Coastal Racks”) files this Complaint for Patent Infringement and alleges as follows.

PARTIES

1. E-Z-GO is a division of Textron, Inc. (“E-Z-GO”), with its principal place of business at 1451 Marvin Griffin Road, Augusta, Georgia 30906. Textron, Inc. (“Textron”) is a Delaware corporation with a principal place of business at 40 Westminster Street, Providence, Rhode Island 02903. E-Z-GO and Textron may be served with process by serving Textron, Inc.’s registered agent in Texas: CT CORP SYSTEM, 1999 Bryan St., Ste. 900, Dallas, TX 75201-3136.

JURISDICTION AND VENUE

2. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code, §§ 271 and 281, *et seq.* Accordingly, this Court has subject matter jurisdiction over this cause of action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

3. This Court has personal jurisdiction over Defendants because, on information and belief, Defendants transact business in this State and have derived substantial revenue or engaged in a persistent course of conduct in the State and the claims alleged arise out of such acts, and/or have otherwise established contacts within this State making the exercise of personal jurisdiction proper.

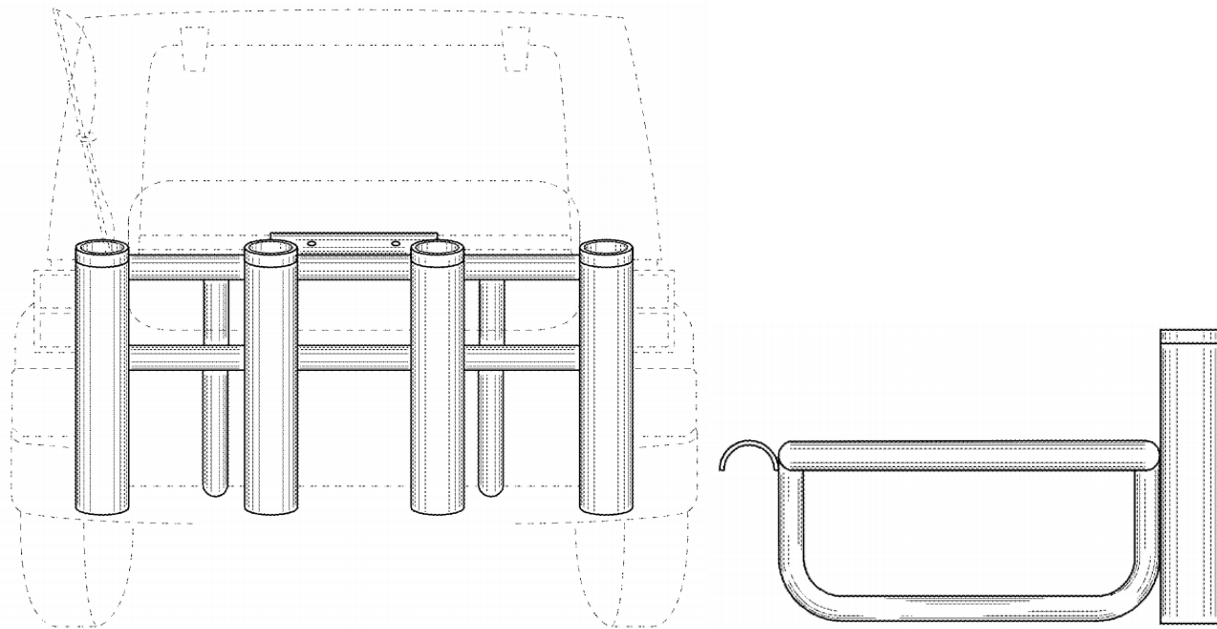
4. Venue is proper in this District under 28 U.S.C. § 1391(b) and (c) because Defendants transact business within this District and offer for sale in this District products that infringe Coastal Rack's asserted patent. In addition, venue is proper because Coastal Rack's principal place of business is in this District and Coastal Rack has suffered harm in this District. Moreover, a substantial part of the events giving rise to Coastal Rack's claims have occurred and, unless enjoined, will continue to occur within this District.

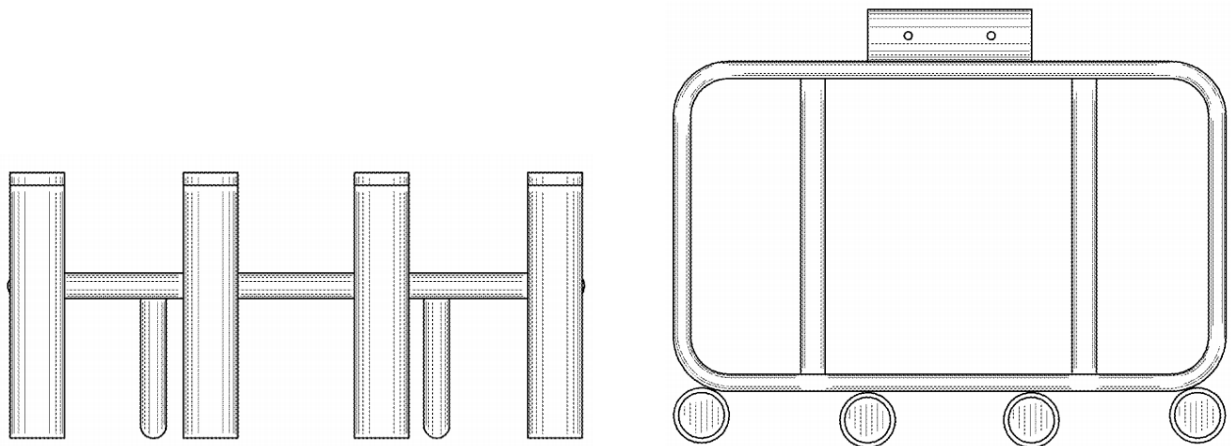
NATURE OF THE ACTION

5. Jorge Albert Gonzalez is a professional welder and a small-business owner that developed an ornamental ice chest (“cooler”) rack with integrated fishing rod holders, for which he sought and received patent protection.

6. U.S. Patent No. D699,476, entitled “Ice Chest and Fishing Pole Holder with Universal Attachments,” (hereinafter “the ’476 Patent”), was duly and legally issued on February 18, 2014. A true and correct copy of the ’476 Patent is attached hereto as Exhibit A.

7. The ornamental design protected by the ’476 Patent is embodied in the drawings below, as well as the remaining figures in the patent not shown here.





8. Mr. Gonzalez owns and operates Coastal Racks.

9. Mr. Gonzalez conveyed his rights, title, and interest in and to the '476 Patent to Coastal Racks through an assignment duly recorded in the United States Patent and Trademark Office at Reel 038788, Frame 0828 on June 2, 2016.

10. Coastal Racks is the owner of the entire right, title, and interest in and to the '476 Patent, including the right to sue for past and present infringements thereof.

11. Coastal Racks builds, markets, and sells a cooler rack product that embodies the designs of the '476 Patent shown above.

12. On April 17, 2015, Coastal Racks received a purchase order to deliver two of these cooler racks to Michael Tootle at 1451 Marvin Griffin Rd., Augusta, Georgia, 30906. *See Exhibit B.*

13. Upon information and believe, Michael Tootle is a product designer for E-Z-GO.

14. Michael Tootle ordered the cooler racks to be shipped to E-Z-GO's principal place of business.

15. Since then, E-Z-GO has copied the design of the Coastal Racks cooler rack and has manufactured, offered for sale, and sold the copy.

16. E-Z-GO continues to sell a "Golf Cart Cooler Holder for Front Brush Guard," designated Item No. PF11568 ("the E-Z-GO product"). *See* Exhibit C.

17. E-Z-GO's product is displayed prominently on its website, www.ezgo.com. *See* Exhibit D

18. The E-Z-GO product plainly embodies the design set forth in the '476 Patent.

CLAIM FOR RELIEF
(Infringement of the '476 Patent)

19. Coastal Racks repeats and incorporates by reference the allegations in the preceding paragraphs.

20. Defendants have infringed and continue to infringe the '476 Patent in this judicial district, and elsewhere in the United States.

21. Defendants' infringement includes, without limitation, making, using, selling, and/or offering to sell in the United States, and/or importing into the United States, the cooler-rack product identified in this Complaint, which embodies the design covered by the '476 Patent.

PRAYER FOR RELIEF

Coastal Racks therefore requests:

22. A judgment in favor of Plaintiff Coastal Racks, finding that Defendants have infringed and continue to infringe the '476 Patent.

23. An adjudication that Defendants must account for and pay to Coastal Racks all damages caused by infringement of the '476 Patent, along with pre-judgement and post-judgement interest;

24. An award of Coastal Rack's costs of suit and reasonable attorneys' fees pursuant to 35 U.S.C. § 285, due to the exceptional nature of this case, or as otherwise permitted by law;

25. A temporary, preliminary, and permanent injunction enjoining Defendants and their officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert therewith from infringement, including directly or indirectly infringing, or inducing or contributing to the infringement by others of the asserted patent;

26. Any other relief that this Court deems just and proper.

JURY TRIAL DEMAND

Plaintiff respectfully demands a trial by jury on all claims and issues so triable.

Date: 10/25/2016

Respectfully submitted,

/s/ Armon Shahdadi

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