

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

RSR Sales, Inc.
d/b/a EchoValley Products
a Michigan Corporation,

Plaintiff,

v.

Alpine Corporation,
a California Corporation.

Defendant.

Case No.

Hon.

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COMPLAINT

PLAINTIFF, RSR Sales, Inc. d/b/a EchoValley Products ("RSR"), as against Defendant Alpine Corp. ("Alpine"), hereby alleges as follows:

I. THE PARTIES

1. Plaintiff RSR is a Michigan corporation with offices at 232 Haeussler Ct., Ann Arbor, MI 48103.
2. Defendant Alpine is, upon information and belief, a California corporation having offices at 7727 Somerset Blvd., Paramount, CA , 90723.

II. JURISDICTION

3. Jurisdiction is conferred on this Court under 28 U.S.C. §1338(a), as Plaintiff's claim is patent related. Venue is proper under 28 U.S.C. §1400(a) and (b), in that Defendant is selling products within this District which infringe a patent owned by Plaintiff.

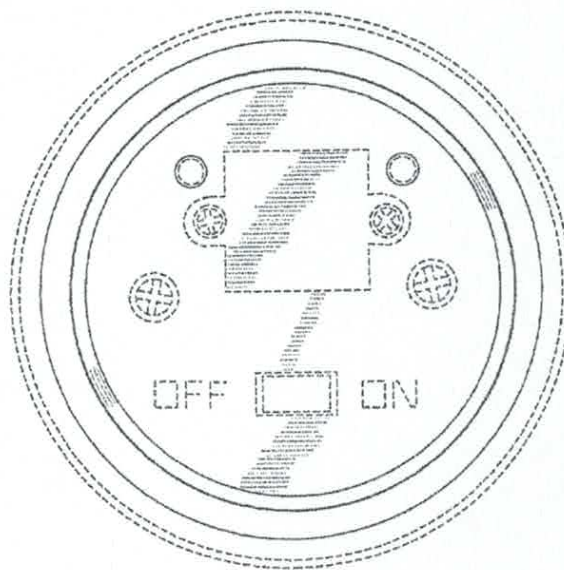
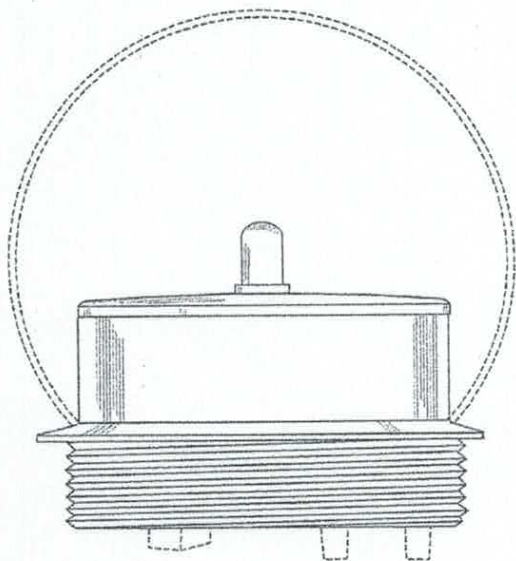
III. BACKGROUND

4. Plaintiff RSR has been selling garden décor under the Echo Valley name for about 25 years. Its product line includes wrought iron fixtures, statuary, bird feeders, garden markers and 'gazing globes.' See www.echovalley.com.
5. Defendant Alpine sells outdoor fountains, pond supplies, garden décor and gift items. See www.alpine4u.com.

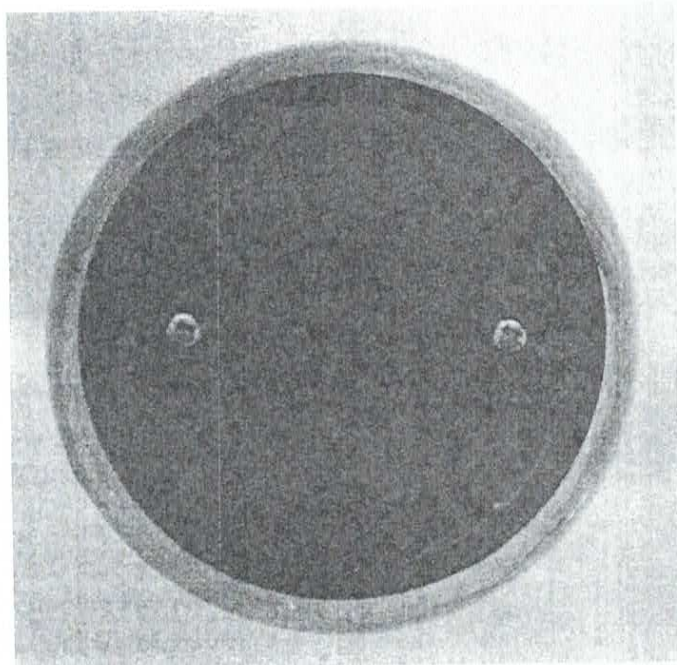
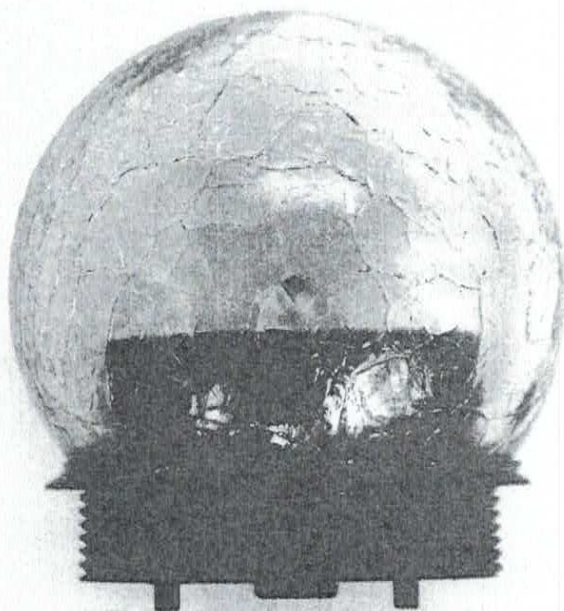
COUNT I
PATENT INFRINGEMENT

6. RSR re-alleges and incorporates herein by reference as though fully set forth hereunder each and every allegation contained in paragraphs 1 through 5, above.
7. RSR is the owner by way of assignment of United States Design Patent No. D726,348 (the " '348 Patent," Exhibit A), entitled 'SELF-CONTAINED SOLAR-POWERED SCREW-IN LED MODULE.' The '348 Patent issued on April 7, 2015, and remains in full force and effect.
8. Alpine is importing and selling products which embody articles that infringe the '348 Patent, those products at least including the "HMF116SLR Solar Old Fashion Style Spinner Stake." Upon information and belief, Alpine is selling other Accused Products that infringe Plaintiff's patented design.

9. The drawings below illustrate side and bottom views, respectively, of Plaintiff's patented design:



10. The photographs below show side and bottom views, respectively, of Defendant's Accused Product:



11. As evident from the above, the Accused Product is *identical* to Plaintiff's patented design.

12. Alpine's infringement of RSR's patented design is causing ongoing harm to Plaintiff, including lost sales and profits.

13. Alpine's infringement of RSR's patented design is causing harm to Plaintiff for which Plaintiff is without an adequate remedy at law.

14. Alpine's infringement of RSR's patented design is willful and deliberate, particularly in view of the fact that the Accused product is a direct knock-off of Plaintiff's patented design.

WHEREFORE, Plaintiff RSR prays that this Court find that:

- (a) Defendant has infringed Plaintiff's '348 Patent.
 - (b) Defendant be preliminarily and finally enjoined from further infringement;
 - (c) Plaintiff be awarded damages caused by Defendant's infringement;
 - (d) Plaintiff's damages include lost profits caused by Defendant;
 - (e) Plaintiff's damages include a reasonable royalty from Defendant;
 - (f) Plaintiff be granted its costs, attorney's fees and increased damages as provided by law,
- and such other and further relief as this Court deems proper and just.

Respectfully submitted,

By: 
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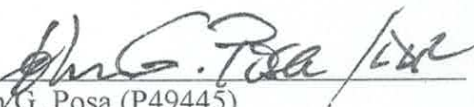
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DEMAND FOR JURY TRIAL

Plaintiff, by and through its attorneys, hereby demands a trial by jury in the above cause of action.

Respectfully submitted,

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