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7 UNITED STATES DISTRICT COURT
8 FOR THE WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 NATIONAL PRODUCTS, INC.,

11 Plaintiff,

12 v.

13 HIGH GEAR SPECIALTIES INC.,

14 Defendant.

Case No. 2:15-CV-01985

COMPLAINT

JURY TRIAL DEMANDED

15 Plaintiff National Products, Inc. ("NPI") brings this action against Defendant High Gear
16 Specialties Inc. ("Defendant" or "HGS") for an injunction, damages, and other appropriate relief
17 to stop Defendant from violating NPI's patent rights. NPI states and alleges as follows:

18 **THE PARTIES**

19 1. NPI is a corporation organized and existing under the laws of the State of
20 Washington, having its principal place of business at 8410 Dallas Ave S., Seattle, Washington
21 98108.

22 2. NPI is a market leader in the design, manufacture, and sale of innovative mounting
23 systems, including mounts for tablets, cellular phones, and other portable devices, which are used,
24 for example, in cars, trucks, bikes, planes, boats and motorcycles.

25 3. Upon information and belief, Defendant HGS is a corporation organized and
26 existing under the laws of the State of Florida, having its principal place of business at 1123
27 Crown Park Circle, Winter Garden, Florida 34787.

1 4. Upon information and belief, HGS is a manufacturer and distributor of mounting
2 systems for consumer electronics. HGS advertises, markets, and sells its products, including the
3 products that are the subject of the patent infringement alleged in this lawsuit, to the public
4 throughout the United States, including within this judicial district.

5 **NATURE OF THE ACTION**

6 5. This is a civil action for infringement of United States Patent No. 6,585,212 (“the
7 ’212 patent”) under the patent laws of the United States, including, without limitation,
8 35 U.S.C. § 1 et seq.

9 **JURISDICTION AND VENUE**

10 6. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

11 7. This Court has personal jurisdiction over HGS because, among other things, HGS
12 has committed, aided, abetted, contributed to, and/or participated in the commission of patent
13 infringement in this judicial district and elsewhere that led to foreseeable harm and injury to NPI.
14 HGS sells and offers to sell its infringing products directly through its website to the public
15 throughout the United States, including this judicial district. HGS also sells and offers to sell its
16 infringing products directly through Amazon.com, an online retailer with headquarters in this
17 judicial district, throughout the United States, including this judicial district. Upon information
18 and belief, HGS has contracted or otherwise formed agreements with Amazon.com to receive
19 services related to its selling and offering to sell its infringing products, including storage,
20 shipping, and customer service through Amazon.com’s facilities and services.

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

22 **THE ’212 PATENT**

23 9. On July 1, 2003, U.S. Patent No. 6,585,212 (“the ’212 patent”), entitled “Quick
24 Release Electronics Platform,” was duly and legally issued to Jeffrey D. Carnevali. The ’212
25 patent is generally directed towards a mounting platform for an accessory device, such as, for
26 example, a cellular phone, phablet, tablet, laptop, radar detector, handheld device, or the like.



http://www.techmounts.com/products/index.php?page_function=detail&product_id=317.

16. As a direct and proximate consequence of HGS's infringement of the '212 patent, NPI has suffered irreparable harm, and NPI will continue to suffer irreparable harm in the future unless HGS is enjoined from infringing the '212 patent.

17. Upon information and belief, the continued infringement by HGS of the '212 patent is willful.

Prayer For Relief

WHEREFORE, NPI prays for the following relief:

- a. A judgment that HGS has infringed the '212 patent;
- b. An order preliminarily and permanently enjoining and restraining HGS, its officers, directors, agents, servants, employees, licensees, attorneys, and all other persons acting under or through it, directly or indirectly, from infringing the '212 patent;
- c. A judgment and order requiring that HGS pay damages under 35 U.S.C. § 284, with prejudgment interest;
- d. A judgment and order directing HGS to pay the costs of this action, including all disbursements and attorney fees as provided by 35 U.S.C. § 285, with prejudgment interest;

1 e. Such other and further relief as the Court may deem just and equitable.

2 **Demand For Jury Trial**

3 NPI hereby demands a trial by jury of all issues so triable.

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6 NATIONAL PRODUCTS, INC.

7 By its attorneys,

8 Dated: December 17, 2015

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