

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**TZU TECHNOLOGIES, LLC,
a California limited liability company,**

Plaintiff,
v.

**MILWAUKEE ELECTRIC TOOL
CORPORATION,
a Delaware corporation**

Defendant.

§
§
§
§
§
§
§
§
§
§
§
§
§

Case No. _____

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

TZU Technologies, LLC (“Plaintiff”) brings this complaint against Milwaukee Electric Tool Corporation (“Defendant”). As its complaint against Defendant, Plaintiff alleges as follows:

NATURE OF THE ACTION

1. This is an action under 35 U.S.C. § 271 for infringement of United States Patent No. 8,953,032 (“the ‘032 Patent”).

THE PARTIES

2. Plaintiff TZU Technologies, LLC, is a California limited liability company having a principal place of business at 35 Hugus Alley, Suite 210, Pasadena CA 91103.

3. Defendant Milwaukee Electric Tool Corporation is a Delaware company having a principal place of business at 13135 West Lisbon Road, Brookfield, WI 53005. Defendant may be served via its registered agent at Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808.

JURISDICTION AND VENUE

4. 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.

5. This Court has personal jurisdiction over the Defendant because, *inter alia*, it resides in the State of Delaware; regularly conducts business in the State of Delaware; and continues to commit acts of patent infringement in the State of Delaware including by making, using, offering to sell, and/or selling Accused Products within the State of Delaware and this district.

6. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b). Defendant is subject to this Court's personal jurisdiction because, *inter alia*, Defendants have committed and continue to commit acts of patent infringement including making, using, offering to sell, and/or selling Accused Products in this district, and/or importing Accused Products into this district; Defendant has a principal place of business in this judicial district, and Defendant employs personnel in this judicial district.

FACTS

7. Plaintiff is the owner, by assignment, of U.S. Patent No. 8,953,032 ("the '032 Patent"), entitled "Self Articulating Behind-Wall Camera," which was duly and legally issued on February 10th, 2015 by the United States Patent and Trademark Office ("USPTO").

8. A copy of the '032 Patent is attached to this Complaint as Exhibit A.

9. TZU Technologies is the sole owner of all rights, titles, and interests in and to the '032 Patent, including the right to assert all causes of action arising from the infringement of the '032 Patent, and the right to all damages, past and present, for any infringement of the '032 Patent.

10. The claims of the '032 Patent are valid and enforceable.

COUNT I: CLAIM FOR PATENT INFRINGEMENT
UNDER 35 U.S.C. § 271 ('032 PATENT)

11. Plaintiff hereby incorporates by reference the allegations of paragraphs 1 through 10 of this Complaint as if fully set forth herein.

12. Upon information and belief, Defendant makes, made, sells, sold, offer for sale, offered for sale, import, and/or imported into the United States inspection scopes, which infringe at least Claim 1 of the '032 Patent (hereafter "Accused Product(s)").

13. Defendant's Accused Product(s) include, without limitation M-Spector 360™ 9ft Kit, M-Spector 360™ Console, M-Spector™ AV M12™ Cordless Lithium-Ion Multimedia, M-Spector™ Inspection Scope Kit (9mm), M12™ M-Spector Flex™ 9ft Inspection Camera Cable Kit, M12™ M-Spector Flex™ 3 Ft Inspection Camera Cable Kit, M12™ M-Spector Flex™ 3 ft Inspection Camera Cable, and M-Spector™ AV M12™ Cordless Lithium-Ion Multimedia Camera.

14. A claim chart comparing Claim 1 of the '032 Patent to the Accused Product(s) is attached as Exhibit B.

15. Plaintiff has been, and will continue to be, irreparably harmed by Defendant's ongoing infringement of the '032 Patent.

16. As a direct and proximate result of Defendant's infringement of the '032 Patent, Plaintiff has been and will continue to be damaged in an amount yet to be determined.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief against Defendant as follows:

A. In favor of Plaintiff that Defendant has infringed one or more claims of the '032 Patent, either literally or under the doctrine of equivalents;

B. Requiring Defendant to pay Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the '032 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.

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: April 9, 2019

Respectfully submitted,

Of Counsel:

Todd Brandt
Brandt Law Firm
222 N. Fredonia Street
Longview, TX 75601
Tel: 903 753 6760

/s/ George Pazuniak
George Pazuniak (DE Bar 478)
O'Kelly Ernst & Joyce, LLC
901 N. Market St., Suite 1000
Wilmington, DE 19801
Tel: 302-478-4230

Counsel for Plaintiff, TZU Technologies, LLC