

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

_____)	
NATIONAL PRODUCTS INC.,)	
	Plaintiff,)	Civil Action No. _____
	v.)	
SCANSTRUT INC., and SCANSTRUT LTD.,)	
	Defendants.)	
_____)	

COMPLAINT

Plaintiff National Products Inc. (“NPI”) brings this action against Defendants Scanstrut Inc. and Scanstrut Ltd. (collectively, “Defendants”) for an injunction, damages, and other appropriate relief to stop Defendants from violating NPI’s patent rights. NPI states and alleges as follows:

THE PARTIES

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

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

3. Upon information and belief, Scanstrut Inc. is a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at 7 Pequot Park Road #210, Westbrook, Connecticut 06498.

4. Upon information and belief, Scanstrut Ltd. is a private limited company

organized and existing under the laws of the United Kingdom, having its principal place of business at 5 Dart Business Park, Clyst St. George, Exeter, United Kingdom EX3 0QH.

5. Upon information and belief, Defendants are manufacturers and distributors of mounting systems for consumer electronics. Upon information and belief, Defendants advertise, market, and sell their products, including the products that are the subject of the patent infringement alleged in this lawsuit, to the public throughout the United States, including within this judicial district.

NATURE OF THE ACTION

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

JURISDICTION AND VENUE

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

8. This Court has personal jurisdiction over Defendants. Upon information and belief, Scanstrut Inc. maintains its principal place of business in this judicial district and Defendants maintain a regular and established place of business in this judicial district. This Court also has personal jurisdiction over Defendants because, upon information and belief, Defendants have committed, aided, abetted, contributed to, and/or participated in the commission of patent infringement in this judicial district and elsewhere that led to foreseeable harm and injury to NPI. Upon information and belief, Defendants sell and offer to sell their infringing products directly through their website to the public throughout the United States, including this judicial district. Defendants also sell and offer to sell their infringing products through online or brick and mortar retailers throughout the United States, including in this judicial district. This

includes, for example, Defender Industries Inc., a retailer with a place of business in this judicial district.

9. Venue is proper in this judicial district under 28 U.S.C. §§ 1391 and 1400(b), because Defendants have committed acts of infringement in this District, and upon information and belief, Defendants have a regular and established place of business in this District.

THE '212 PATENT

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

11. NPI is the owner, by assignment, of all right, title, and interest in the ’212 patent, including the rights to exclude others and to sue and recover damages for infringement.

12. To the extent any marking or notice was required by 35 U.S.C. § 287, NPI and/or all predecessors in interest and/or implied or express licensees of the ’212 patent, if any, have complied with the marking requirements of 35 U.S.C. § 287 by fixing the word “patented” together with the address of NPI’s website, which is accessible to the public without charge and which associates the patented article with the ’212 patent in the “Patent and Trademarks” page of NPI’s website, on all goods made, offered for sale, sold, and/or imported into the United States that embody one or more claims of the ’212 patent.

13. A true and correct copy of the ’212 patent is attached as Exhibit A.

COUNT I PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 6,585,212

14. NPI realleges and incorporates by reference the allegations in paragraphs 1-13 above.

15. Defendants have directly infringed and continue to directly infringe at least claim 21 of the '212 patent by making, using, offering to sell, and selling within the United States and/or importing into the United States products that infringe the '212 patent, including all products that incorporate the ROKK Wireless cradle, including without limitation, Model Nos. SC-CW-04E and SC-CW-05E (collectively, "ROKK Wireless Cradle Products").

16. Visual inspection of the ROKK Wireless Cradle Products demonstrates that they literally infringe each and every element of claim 21. For example, Defendants' website depicts the ROKK Wireless Cradle Products as comprising the mounting device of claim 21:



<https://www.scanstrut.com/products/waterproof-wireless-charge/rokk-sc-wc-04-detail>. The ROKK Wireless Cradle Products include, for example, a clamping mechanism comprising the claimed base portion including a mounting structure for mounting on an external member, jaw portion extending at an obtuse angle from one end of the base portion, and resilient compressible pad fixed to a surface of the jaw portion. They also includes, for example, first and second slidably interconnected frame members to secure a mobile device, as well as a biasing member mechanically coupled between the first and second frame members for biasing the first and

second frame members together.

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

18. Defendants have had actual knowledge of the '212 patent and their infringement thereof since at least May 17, 2019, when NPI contacted Defendants regarding their infringement. Upon information and belief, Defendants' continued infringement of the '212 patent is willful.

PRAYER FOR RELIEF

WHEREFORE, NPI prays for the following relief:

- a. A judgment that Defendants have infringed the '212 patent;
- b. An order preliminarily and permanently enjoining and restraining Defendants, their officers, directors, agents, servants, employees, licensees, attorneys, and all other persons acting under or through them, directly or indirectly, from infringing the '212 patent;
- c. A judgment and order requiring that Defendants pay damages under 35 U.S.C. § 284, with prejudgment and post-judgment interest;
- d. A judgment that Defendants' infringement has been willful, and a three-fold increase in damages;
- e. A judgment and order directing Defendants to pay the costs of this action, including all disbursements and attorney fees as provided by 35 U.S.C. § 285, with prejudgment interest; and
- f. Such other and further relief as the Court may deem just and equitable.

DEMAND FOR JURY TRIAL

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

Dated: August 27, 2019

Respectfully submitted,

By: /s/ David K. Tellekson

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