

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

**MULTIMATIC INC.**

Plaintiff,

v.

**EDSCHA AUTOMOTIVE MICHIGAN,  
INC.**

Defendant.

§  
§  
§  
§  
§  
§  
§  
§  
§

**Civil Action No. 2:19-cv-12598**

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

This is an action for patent infringement in which Plaintiff, Multimatic Inc. (“Multimatic” or “Plaintiff”), complains against Defendant, Edscha Automotive Michigan, Inc. (“Edscha” or “Defendant”), and alleges as follows:

**PARTIES**

1. Multimatic is an Ontario corporation with a place of business at 8688 Woodbine Avenue, Markham, Ontario, Canada L3R 8B9.
2. Edscha is a Delaware corporation with a place of business at 2800 Superior Court, Auburn Hills, Michigan 48326.

**JURISDICTION AND VENUE**

3. This Court has original subject matter jurisdiction over the claims in this action pursuant to 28 U.S.C. § 1331 (federal question), § 1332 (diversity), and § 1338 (patents).
4. Defendant Edscha is subject to personal jurisdiction in this Court. In particular, this Court has personal jurisdiction over Defendant because it has engaged in continuous, systematic and substantial activities within this judicial district, including the marketing and/or sales of

products in this judicial district. Defendant further has its principal place of business in this judicial district. Furthermore, this Court has personal jurisdiction over Defendant in this case because it has committed acts giving rise to Plaintiff's claims within and directed to this judicial district.

5. Venue is proper in this judicial district as to Defendant under 28 U.S.C. § 1391(b) and (c) and 28 U.S.C. § 1400(b). Defendant has committed acts giving rise to Plaintiff's claims within and directed to this judicial district and also has a regular and established place of business in this district at least by way of its location at 2800 Superior Court, Auburn Hills, Michigan 48326.

### **BACKGROUND**

6. Multimatic is a supplier of engineered components, systems, and services to the automotive industry. Multimatic engineers and manufactures complex mechanisms, body hardware, suspension systems, and body structures. It also designs and develops lightweight composite automotive systems, and provides niche vehicle design, development and production for road and race applications. Multimatic is headquartered in Canada and has manufacturing divisions and engineering facilities in North America, Europe, and Asia.

### **Automotive Door Hinge Technology**

7. Multimatic has developed technology in a variety of areas, including in the area of door hinges. Multimatic's automotive closure innovations date at least as far back as 1984 and include automotive hinges for side doors, rear cargo doors, hoods, decklids, liftgates, dropgates, tailgates, tonneau covers, sliding doors, and power closures. At issue in this case is technology related to Multimatic's door hinges. An exemplary door hinge, the Multimatic Bridgeless Hinge, that is covered by one or more claims of Multimatic's asserted patent is shown below:

// ■ MULTIMATIC MECHANISMS

A comprehensive range of vehicle hinges.



Multimatic BridgelessHinge™ excels where space saving and light weight are crucial.

[See <https://www.multimatic.com/mechanisms/mechanisms-products/hingesystems/>, as accessed on August 28, 2019].

8. Multimatic protected its technology by filing patent applications, resulting in the issuance of patents related to this technology.

9. Multimatic commercializes products that practice the inventions claimed in the asserted patent.

10. Defendant is a competitor of Multimatic and is also in the business of manufacturing and selling door hinges that practice the claimed inventions (collectively, the “Accused Door Hinge Products”). The Accused Door Hinges Products at least include the examples shown below:



11. Upon information and belief, Defendant has knowledge of the asserted patent and that its actions infringe the asserted patent.

**THE ASSERTED PATENT**

12. Multimatic is the assignee of a number of patents relating to automotive door hinges. The asserted patent in this lawsuit is U.S. Patent No. 10,100,563.

**U.S. Patent No. 10,100,563**

13. On October 16, 2018, the United States Patent and Trademark Office duly and lawfully issued United States Patent No. 10,100,563 (“the ‘563 patent”), entitled “Multiple Piece Construction Automotive Door Hinge.” A true and correct copy of the ‘563 patent is attached hereto as **Exhibit 1**.

14. The ‘563 patent names Robert John Murray, Rudolf Gruber, Chean Wang Ng, Pasith Banjongpanith, Prad Lad, and Scott Worden as the inventors.

15. Multimatic is the owner by assignment of all right, title and interest in the ‘563 patent.

**COUNT I**  
**(DIRECT INFRINGEMENT OF U.S. PATENT NO. 10,100,563)**

16. Plaintiff incorporates by reference all of the preceding paragraphs as though fully set forth herein.

17. The ‘563 patent remains valid, enforceable, and unexpired.

18. Claim 1 of the ‘563 patent recites:

1. A vehicular hinge assembly comprising:

a first component comprising first and second separate brackets, the first bracket being spaced apart from the second bracket;

a second component including a bushing aperture configured to accept a pivot bushing;

a pivot bushing;

a pivot pin that comprises a first end, a second end, and a pivot surface positioned between the first end and the second end, each of the first and second ends comprising an upset head following assembly of the hinge;

wherein the pivot surface of the pivot pin is disposed within the pivot bushing such that the second component is rotatable around the pivot surface, and the first and second ends of the pivot pin are structurally connected to the first and second brackets of the first component to hold the first and second brackets in a fixed relationship; and

wherein the upset heads of the pivot pin hold the first component and the second component together while permitting them to rotate relative to one another to form an assembly to be mounted as a whole to a vehicular closure panel and a vehicular body structure.

19. Upon information and belief, Defendant is directly infringing and has directly infringed the '563 patent in violation 35 U.S.C. § 271(a), including, without limitation, by making, using, selling, offering for sale, and/or importing, without license or authority, products that are covered by at least claim 1 of the '563 patent, including, but not limited to, the Accused Door Hinge Products, as shown in **Exhibit 2**.

20. Plaintiff Multimatic and Defendant Edscha are competitors. Plaintiff has suffered substantial damages and will suffer severe and irreparable harm as a result of Edscha's infringement, unless that infringement is enjoined by this Court. The threatened injury to Multimatic outweighs any harm that an injunction may cause to Edscha. Injunctive relief would not disserve the public interest under these circumstances.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff requests judgment in its favor against Defendant for the following relief:

- A. A judgment in favor of Plaintiff that Defendant has directly infringed the ‘563 patent;
- B. A preliminary and permanent injunction enjoining Defendant, its officers, directors, agents, servants, employees and those persons in active concert or participation with Defendant, from infringing the ‘563 patent in violation of 35 U.S.C. § 271;
- C. An award of damages adequate to compensate Plaintiff for Defendant’s infringement, including but not limited to lost profits and/or a reasonable royalty;
- D. An award of prejudgment and post-judgment interest and costs of this action; and
- E. Such other and further relief that this Court deems just and proper.

**JURY DEMAND**

Pursuant to Fed. R. Civ. P. 38(b), Plaintiff demands a trial by jury on all issues so triable.

Dated: September 4, 2019

CARLSON, GASKEY & OLDS, P.C.

/s/ Steven Susser  
Steven Susser (P52940)  
Brian S. Tobin (P67621)  
William S. Gottschalk (P59524)  
Carlson Gaskey & Olds, P.C.  
400 W. Maple, Suite 350  
Birmingham, Michigan 48009  
Telephone: (248) 988-8360  
Facsimile: (248) 988-8363  
Email: [ssusser@cgolaw.com](mailto:ssusser@cgolaw.com)  
[btobin@cgolaw.com](mailto:btobin@cgolaw.com)  
[bgottschalk@cgolaw.com](mailto:bgottschalk@cgolaw.com)

*Attorneys for Plaintiff, Multimatic Inc.*