

**Fulton UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

INTELLECTUAL SPORTING
GOODS, LLC.

Plaintiff,

v.

STARPRO, GREENS,
INCORPORATED

Defendant.

CIVIL ACTION FILE NO.

COMPLAINT FOR PATENT INFRINGEMENT

COMES NOW, Intellectual Sporting Goods, Inc. (“ISG”), by and through its undersigned counsel, and files its Complaint for Patent Infringement against the above-named Defendant and for its cause of action hereby states:

THE PARTIES

1. ISG is a limited liability company organized and existing under the laws of the State of Georgia and having its principal place of business in Johns Creek, Georgia.

2. Starpro, Greens, Incorporated (“Starpro”) is a Georgia corporation with its principal place of business located, upon information and belief, at 1640

Spinnaker Drive, Alpharetta, Georgia, 30005.

3. Starpro may be served by service upon its registered agent Daniel Selton at 330 Petersford Way, Alpharetta, GA 30004.

4. Starpro regularly conducts its business by way of sales of goods and services, including the goods and services accused of infringement in this case, within the State of Georgia and within this judicial district.

JURISDICTION AND VENUE

5. This is an action for patent infringement arising under the provisions of the Patent Laws of the United States of America, Title 35, United States Code.

6. Subject-matter jurisdiction over ISG's claims is conferred upon this Court by 28 U.S.C. § 1331 (federal question jurisdiction) and 28 U.S.C. § 1338(a) (patent jurisdiction).

7. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b) and (c) and §1400(b).

PATENT INFRINGEMENT

8. On April 8, 2008, U.S. Patent No. D566,218 (the "218 patent"), a copy of which is attached hereto as Exhibit A, was duly and legally issued by the United States Patent and Trademark Office.

9. ISG is the owner by assignment of all right, title and interest in and to

the 218 patent, including all right to recover for any and all past infringement thereof and damages related thereto.

10. Figures 1-3 of the 218 Patent are as follows:

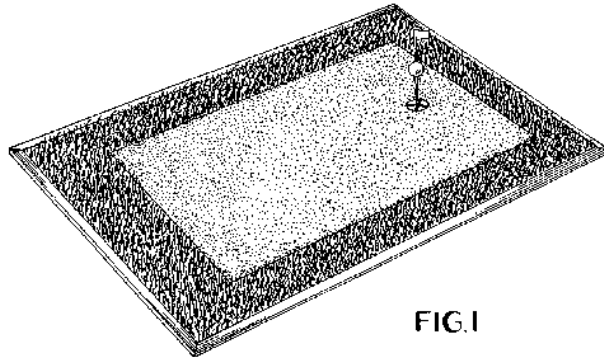


FIG. 1



FIG. 2

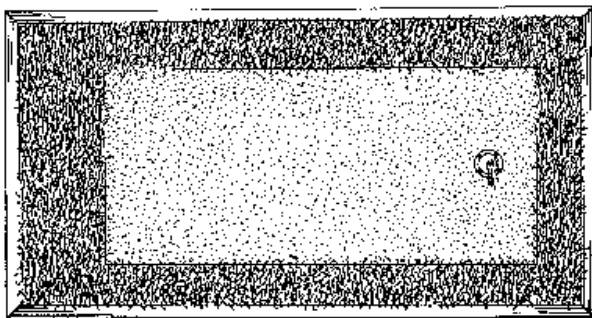


FIG. 3

11. Upon information and belief, Starpro has in the past and continues to infringe the 218 patent by selling and/or offering to sell, in this judicial district and elsewhere in the United States, golf putting green mats with borders. These products

include, but are not limited to the following: 7' x 14' 5-Hole Pro Backyard / Indoor Putting Green w/ Border, 11' x 17' 5-Hole Pro Backyard / Indoor Putting Green w/Border, 19' x 24' Pro 5-Hole Backyard / Indoor Putting Green w/Border, 19' x 32' 5-Hole Pro Backyard / Indoor Putting Green w/Border, 7 x 14 x 1 ft Wide Border for 5 x 12 ft Pro Golf Green, 11 x 17 x 1 ft Wide Border for 9 x 15 ft Pro Greens, 19 x 24 x 2 ft Wide Border for 15 x 20 ft Pro Greens, 19 x 32 x 2 ft Wide Border for 15 x 28 ft Pro Greens. By way of example, the 7 x 14 x 1 ft Wide Border for 5 x 12 ft Pro Golf Green appears as follows on StarPro's website:



Other similar products may also be identified as a result of discovery in this case.

12. ISG is entitled to recover money damages from the defendant to compensate for the infringement described above, in an amount of no less than a reasonable royalty.

PRAYER FOR RELIEF

WHEREFORE, ISG prays for entry of judgment that:

- (1) Starpro has infringed the 218 patent;
- (2) Starpro account for and pay to ISG all damages and costs of ISG caused by Starpro's patent infringement, including payment of damages in the amount of no less than a reasonable royalty;
- (3) ISG be granted pre-judgment and post-judgment interest on the damages caused to it by reason of Starpro's patent infringement;
- (4) The damages awarded to ISG be trebled after the jury determines the infringement in this case was willful;
- (5) Costs and attorney's fees be awarded to ISG, as this is an exceptional case;
- (6) ISG be granted such further and additional relief as this Honorable Court may deem just and proper under the circumstances.

DEMAND FOR JURY TRIAL

ISG demands trial by jury on all claims and issues so triable.

This 16th day of September, 2019.

Respectfully submitted,

HILL, KERTSCHER & WHARTON, LLP

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