

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

NATIONAL PRODUCTS INC.,

Plaintiff,

v.

NORTHE COMPANY, LLC, D/B/A ROAM,

Defendants.

Civil Action No.

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiff National Products Inc. (“NPI”), by and through undersigned counsel, brings this action for patent infringement against Defendant Northe Company, LLC, doing business as Roam (“Roam”) for an injunction, damages, and other appropriate relief to stop Roam 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, Northe Company, LLC is a Maine limited liability company organized and existing under the laws of Maine, and doing business under the name Roam. Upon information and belief, Roam has a principal place of business at 39 Draper Lane, Greene, Maine 04236.

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

#### **NATURE OF THE ACTION**

5. 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. §§ 271 *et seq.*

#### **JURISDICTION AND VENUE**

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

7. This Court has personal jurisdiction over Roam. Upon information and belief, Roam maintains its principal place of business and a regular and established place of business in Maine. Upon information and belief, Roam also maintains a registered agent in Maine, located at P.O. Box 1776, Lewiston, ME 04241. This Court also has personal jurisdiction over Roam because, upon information and belief, Roam has committed, aided, abetted, contributed to, and/or participated in the commission of patent infringement in Maine and elsewhere that led to foreseeable harm and injury to NPI.

8. Upon information and belief, Roam sells and offers to sell its infringing products directly through its website to the public throughout the United States, including Maine.

9. Upon information and belief, Roam also sells and offers to sell its infringing products, or otherwise makes its infringing products available, online and through brick and mortar locations throughout the United States, including in Maine.

10. Venue is proper in this judicial district under 28 U.S.C. §§ 1391 and 1400(b), because Roam has committed acts of infringement in this judicial district, and upon information

and belief, Roam has a regular and established place of business in this judicial district.

**THE '212 PATENT**

11. On July 1, 2003, U.S. Patent 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.

12. 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.

13. 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.

14. 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**

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

16. Roam has infringed and continues to infringe, directly or indirectly, 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 without limitation all products that incorporate the Roam Co-Pilot Bike Phone Mount and Co-Pilot Slim

Bike Phone Mount (collectively, the “Accused Products”).

17. Inspection of the Accused Products demonstrates that they infringe each and every element of claim 21, either literally or by the doctrine of equivalents. For example, Roam’s website depicts the Accused Products as comprising the mounting device of claim 21:



(<https://www.roamusa.com/products/roam-co-pilot-universal-premium-phone-mount-for->

motorcycle; <https://www.roamusa.com/products/new-roam-co-pilot-bike-phone-mount>)

18. The Accused Products depicted above are exemplary. The Accused Products include, for example, a clamping mechanism, which comprises a jaw portion extending at an obtuse angle from one end of the base portion, a resilient compressible pad fixed to a surface of the jaw portion, and a base portion including a mounting structure for mounting on an external member (i.e., a frame member). Moreover, the Accused Products comprise 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. The first frame member also comprises a device mounting surface, as well as a clamp mounting surface.

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

20. Roam has had actual knowledge of the '212 patent and its infringement thereof since approximately April 7, 2020. Upon information and belief, Roam's continued infringement of the '212 patent is willful.

#### **PRAYER FOR RELIEF**

WHEREFORE, NPI prays for the following relief:

- a. A judgment that Roam has infringed the '212 patent;
- b. An order preliminarily and permanently enjoining and restraining Roam, its 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 Roam pay damages under 35 U.S.C. § 284, with prejudgment and post-judgment interest;

- d. A judgment that Roam's infringement has been willful, and a three-fold increase in damages under 35 U.S.C. § 284;
- e. A judgment and order directing Roam 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: July 24, 2020

Respectfully submitted,

/s/ Rebecca Gray Klotzle

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