

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STREAMLIGHT, INC.,

Plaintiff,

v.

TRACTOR SUPPLY COMPANY,

Defendant.

Civil Action No. 2:20-cv-5710

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Streamlight, Inc. (“Streamlight”), for its complaint against Defendant Tractor Supply Company (“TSC”) alleges as follows:

NATURE OF THE ACTION

1. This action arises out of Defendant’s infringement of Streamlight’s valid and enforceable patent rights.

2. Defendant has engaged, and continues to engage, in the business of making, using, selling, offering for sale, and/or importing its Treeline-branded shotgun forend lights, which infringe on Streamlight’s United States Patent No. 10,670,251 (hereinafter the “‘251 Patent,” a copy of which is attached hereto as Exhibit A).

3. Streamlight seeks permanent injunctive relief and damages against Defendant for its infringement of the ‘251 Patent.

PARTIES

4. Plaintiff Streamlight, Inc. is a Delaware corporation with its principal place of business at 30 Eagleville Road, Eagleville, Pennsylvania 19403. Streamlight designs and manufactures flashlights and other portable lighting products. It markets and sells these products

to customers throughout the world, including through various distributors.

5. Defendant Tractor Supply Company is a Delaware corporation, with its principal place of business at 5401 Virginia Way, Brentwood, Tennessee 37027. Defendant has regular and established business locations within Pennsylvania, including within this judicial district, and is therefore subject to the personal jurisdiction of this Court.

JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction over this patent infringement claim pursuant to 28 U.S.C. §§ 1331 and 1338.

7. This Court has personal jurisdiction over Defendant, and venue is proper in this judicial district, because Defendant has numerous regular and established places of business in this district.

8. TSC is a Delaware entity that has registered to do business in Pennsylvania.

9. On information and belief, TSC operates dozens of brick and mortar store locations in Pennsylvania, at least nine of which are located within the Eastern District of Pennsylvania.

10. Venue in this district is proper pursuant to 28 U.S.C. § 1391(b) because Defendant has committed acts of patent infringement in, among other places, the Eastern District of Pennsylvania.

11. Attached as Exhibit B is a purchase receipt for the Treeline 900 lumen forend light in both the Remington and Mossberg versions (collectively, the “TSC Treeline Lights”). These products were purchased on October 22, 2020 from a TSC brick and mortar store located at 265 Harleysville Pike, Harleysville, PA 19438, which is located within this judicial district.

12. As detailed below, the TSC Treeline Lights infringe the ’251 Patent.

FACTS IN SUPPORT OF STREAMLIGHT'S CLAIMS

13. Streamlight repeats and incorporates by reference the allegations asserted in each of the preceding paragraphs, as if fully set forth herein.

14. Since 1973, Streamlight has sold a wide array of efficient, high-performance lighting tools in the United States. Over the course of this time, Streamlight has become an industry leader in developing flashlights and related lighting solutions featuring the latest technology, as well as top-end performance, durability, and value. Streamlight regularly protects its proprietary innovations by securing patents in the United States and other jurisdictions around the world.

15. Streamlight has developed a reputation for developing and applying an expertise in the activities for which its products are designed. For example, several Streamlight personnel are ex-law enforcement, ex-military, and/or are active in the shooting industry and have otherwise developed hands-on, real-world experience that leads to new ideas and innovations that set Streamlight's products apart. Because the end-purchasers of Streamlight's products include police and fire departments, the military, and other agencies and individuals that must operate in potentially-dangerous environments, Streamlight has developed its products to be safe and reliable in all contemplated uses.

16. Streamlight's TL-Racker® shotgun-mountable light is one such product that includes innovative features developed and protected by Streamlight under patent law. Images of two different versions of Streamlight's TL-Racker® shotgun-mountable light, which are designed for use with various models of Remington- and Mossberg-branded shotguns, are provided below:



Streamlight TL-Racker® - Remington version



Streamlight TL-Racker® - Mossberg version

17. Streamlight's TL-Racker® products include innovations that are protected by the '251 Patent.

18. As recorded on the face of the '251 Patent, Streamlight is the assignee of the entire right, title, and interest in the '251 Patent, which issued on June 2, 2020.

19. The '251 Patent grants Streamlight the right to prevent others from making, having made, using, selling, and/or offering for sale in the United States, and/or importing into

the United States, any products which are covered by a claim or claims of the '251 Patent.

20. Streamlight has complied with 35 U.S.C. § 287 by providing a virtual marking on its products, and corresponding patent information on its website, and accordingly, upon information and belief, TSC had constructive knowledge of the '251 Patent.

21. TSC has infringed the '251 Patent by making, using, selling, offering for sale, and/or importing forend shotgun lights which are covered by one or more claims of the '251 Patent, including, without limitation, forend lights sold under the TSC Treeline brand, including the TSC Treeline Lights as shown below:



TSC Treeline Light, Mossberg version (see https://www.tractorsupply.com/tsc/product/treeline-900-lm-forend-light-mossberg-jc-tsc-3404?cm_vc=-10011; a screen shot of the full webpage is attached as Exhibit C);



TSC Treeline Light, Remington version (see https://www.tractorsupply.com/tsc/product/treeline-900-lumen-forend-weapon-light-remington-jc-tsc-3405?cm_vc=-10011#; a screen shot of the full webpage is attached as Exhibit D).

COUNT I

Patent Infringement of U.S. Patent No. 10,670,251 (35 U.S.C. § 271)

22. Streamlight repeats and incorporates by reference the allegations asserted in each of the preceding paragraphs, as if fully set forth herein.

23. TSC infringes at least claim 1 of the '251 Patent in violation of 35 U.S.C. § 271(a) by using, selling, and offering for sale the TSC Treeline lights.

24. Claim 1 of the '251 Patent reads:

1. A light adapted to be mountable to a firearm, the light comprising:

a light assembly including at least one light source;

a power source in electrical connection with the light assembly to supply power to the light assembly; and

a switch assembly, the switch assembly comprising

a first tactile switch, the first tactile switch having a first trip force rating, a first state when a first applied force that is applied to the first tactile switch has a value that is less than the first trip force rating, and a second state that results when the first applied force has a value that is equal to or in excess of the first trip force rating,

a second tactile switch being spaced apart from the first tactile switch, the second tactile switch having a second trip force rating, a first state when a second applied force that is applied to the second tactile switch has a value that is less than the second trip force rating, and a second state that results when the second applied force has a value that is equal to or in excess of the second trip force rating,

a bar, the bar having a length, a top surface, and a bottom surface,

a first actuating button located at least partially between the bottom surface of the bar and the first tactile switch, and

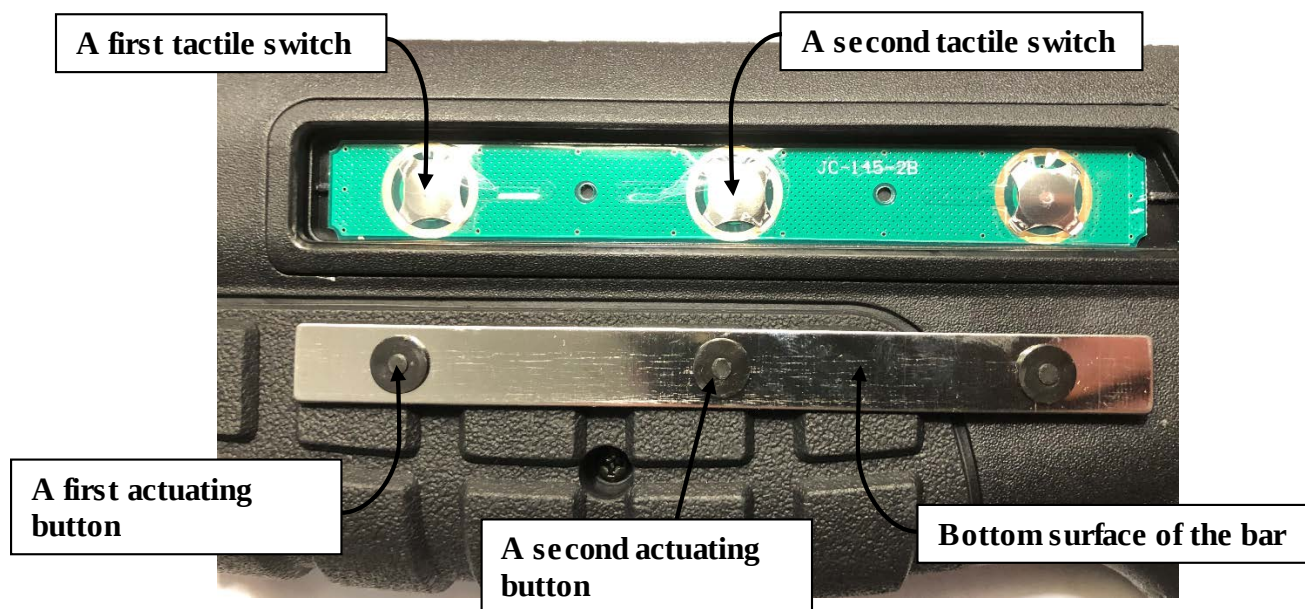
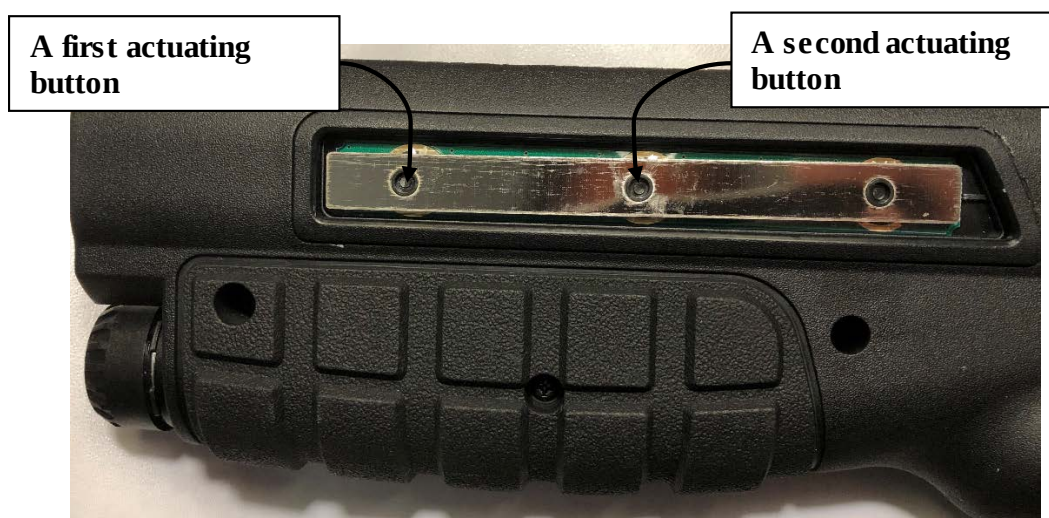
a second actuating button located at least partially between the bottom surface of the bar and the second tactile switch,

wherein the application of a depressing force to the top surface of the bar anywhere along the length thereof causes the first actuating button to apply the first applied force to the first tactile switch and/or the second actuating button to apply the second applied force to the second tactile switch, and

wherein if at least one of the first tactile switch or the second tactile switch is placed into its respective second state, at least one state of the light assembly is adjusted.

25. Based on an analysis of the purchased TSC Treeline lights, these products satisfy each and every claim limitation as set forth above. In the images below, the main claim elements are identified on a unit of one of the TSC Treeline Lights, which is shown in various states of disassembly:





26. Based on Streamlight's compliance with 35 U.S.C. § 287, TSC had at least constructive knowledge of the '251 Patent. Given the striking similarities between Streamlight's TL-Racker® products and the TSC Treeline lights, including the overall appearance and the functionality of the claimed switch assembly, upon information and belief, TSC had actual knowledge of the '251 Patent.

27. Defendant's acts therefore have been, and continue to be, willful, with knowledge of, or reason to know, that its acts constitute infringement of the '251 Patent.

28. TSC will continue its acts of infringement unless and until enjoined by this Court.

29. TSC's infringement has caused and, unless enjoined by this Court, will continue to cause serious and irreparable damage to Streamlight for which it has no adequate remedy at law.

30. TSC's infringement has also caused monetary damage to Streamlight for which Streamlight is entitled to be compensated under 35 U.S.C. § 284, including a reasonable royalty and/or lost profits.

31. Due to Defendant's willful infringement and the exceptional nature of this case, Streamlight is entitled to recover attorneys' fees under 35 U.S.C. § 285.

PRAYER FOR RELIEF

WHEREFORE, Streamlight prays that judgment be entered by this Court in its favor and against Defendant as follows:

A. That Defendant, and all other persons, firms, or corporations acting in concert or participation with Defendant, be enjoined and restrained, during the pendency of this action and permanently thereafter, from making, using, importing, offering for sale, or selling any and all goods which infringes the '251 patent;

B. That Streamlight recover damages sustained, including lost profits and/or a reasonable royalty, as a result of Defendant's infringement of the '251 patent, pursuant to 35 U.S.C. § 284, with pre- and post-judgment interest thereon;

C. That the Court award Streamlight an accounting for acts of infringement not presented at trial and that the Court award additional damage for any such acts of infringement;

D. That the Court declare this case to be exceptional under 35 U.S.C. § 285 and award Streamlight its attorneys' fees, expenses, and costs incurred in this action;

E. That Defendant's infringement be adjudged to be willful, its infringing conduct adjudged egregious, and that Streamlight's damages be trebled or otherwise enhanced, pursuant to 35 U.S.C. §§ 284 and 285 and all other applicable statutes and rules in common law that would be appropriate, with pre- and post-judgment interest thereon;

F. That Defendant be ordered to deliver up for destruction all infringing TSC Treeline Lights in its possession or under its control; and

G. That this Court award to Streamlight such other and further relief as is authorized by statute or is deemed appropriate by this Court.

JURY DEMAND

Plaintiff demands a jury trial as to all issues so triable.

Dated: November 16, 2020

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