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CLAVELAND

IN UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

VIDEO PRODUCTS, INC.
1275 Danner Drive
Aurora, Ohio 44202

Plaintiff,

v.

ROSE ELECTRONICS
10707 Stancliff Road
Houston, Texas 77099

Defendant.

5:03CV2283

CIVIL ACTION NO.

JUDGE DOWD

JUDGE:

MAG. JUDGE LINBERT

COMPLAINT
WITH JURY DEMAND

For its Complaint against ROSE ELECTRONICS ("ROSE"), Plaintiff VIDEO PRODUCTS, INC. ("VPI") states as follows:

1. Plaintiff VPI is a corporation organized and existing under the laws of the State of Ohio and having a place of business at 1275 Danner Drive, Aurora, Ohio 44202.
2. Defendant ROSE a general partnership organized and existing under the laws of the State of Texas, having its headquarters and principal place of business at 10707 Stancliff Road, Houston, Texas 77099.

3. This action arises under the Patent Law of the United States, Title 35, United States Code. This Court has jurisdiction under 28 U.S.C. §1338(a).

4. Venue is proper in this district under 28 U.S.C. §1391(b)(1) and (2).

5. VPI is the owner by assignment of United States Patent No. 6,324,605 (“the ‘605 Patent”) entitled COMPUTER AND PERIPHERAL SWITCH WITH USB. The ‘605 Patent was duly and legally issued by the United States Patent and Trademark Office (“PTO”) on November 27, 2001. A copy of the ‘605 Patent is attached as Exhibit A. The ‘605 Patent is still in force and effect and is presumed valid under the U.S. patent laws.

COUNT I: ROSE’S INFRINGEMENT OF THE ‘605 PATENT

6. VPI incorporates by reference herein the allegations of Paragraphs 1-5 of this Complaint.

7. ROSE has infringed and continues to infringe the ‘605 Patent through its manufacture, sale, offer for sale and/or use of infringing switches, including KVM switches, in this judicial district and elsewhere.

8. ROSE has knowingly and willfully infringed the ‘605 Patent.

9. ROSE’s infringement of the ‘605 Patent has and will continue to cause VPI damage and irreparable harm unless enjoined by this Court.

PRAYER FOR RELIEF


Plaintiff VPI prays for the following relief:

1. A judgment that ROSE has infringed and continues to infringe the ‘605 Patent.

2. A judgment that ROSE’s infringement has been willful.

3. A judgment against ROSE awarding VPI damages suffered by VPI on account of ROSE's infringement of the '605 Patent.
4. A judgment that VPI's damages be trebled and that punitive damages be assessed against ROSE.
5. A preliminary injunction against ROSE and any entity acting in concert with it, pursuant to 35 U.S.C. §283, preventing ROSE and any such entity, from infringing the '605 Patent.
6. A permanent injunction against ROSE and any entity acting in concert with it, pursuant to 35 U.S.C. §283, preventing ROSE and any such entity, from infringing the '605 Patent.
7. A judgment that this is an exceptional case and that VPI be awarded reasonable attorney fees.
8. A judgment that ROSE be directed to pay VPI its costs incurred herein and such other and further relief as the Court deems just and equitable.

Respectfully submitted,

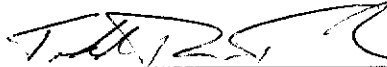

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Attorneys for Video Products, Inc.

JURY DEMAND

Plaintiff VPI respectfully requests a trial by jury as to all issues so triable.

Respectfully submitted,



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