

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

ALTRONIC, LLC,

Plaintiff,

v.

**MOTORTECH GMBH, and
JANE OR JOHN DOES,**

Defendants.

Case No. 4:24-cv-00118

JURY TRIAL DEMAND

COMPLAINT FOR PATENT INFRINGEMENT

Altronic, LLC (“Altronic”), for its complaint against MotorTech GmbH (“MotorTech”) and Jane or John Does (“Does”) (collectively, “Defendants”), alleges as follows:

NATURE OF THE ACTION

1. This is a patent infringement action arising out of MotorTech’s ignition systems and related components, including (at least) its MIC3+, MIC4, MIC5, and MIC6¹ product(s) (“the Accused Products”). Additional systems and related components may be identified during discovery.

2. On information and belief, MotorTech has been and still is directly infringing one or more claims of U.S. Patent No. 7,401,603 (“ ‘603 Patent” or “Asserted Patent”) by making, using, selling, offering to sell, and/or importing the Accused Products.

3. On information and belief, MotorTech has been and still is contributing to the infringement of one or more claims of the Asserted Patent by others through the sale, promotion, and/or instruction for use of the Accused Products. On information and belief, the Accused

¹ On information and belief, these products all function the same way in relevant aspects.

Products are material to practicing the invention of the Asserted Patent, have no substantial non-infringing uses, and are known to MotorTech to be especially made or especially adapted for use in infringing the Asserted Patent. In addition, on information and belief, the Accused Products are not staple articles or commodities of commerce suitable for substantial non-infringing use. For example, on information and belief, MotorTech sells and offers to sell Accused Products to third-party manufacturers for inclusion in infringing engine systems imported into the United States. On information and belief, these acts are taken with knowledge of the '603 patent and infringement thereof.

4. On information and belief, MotorTech has been and still is actively inducing others to infringe one or more claims of the Asserted Patent through the sale, promotion, and/or instruction for use of Accused Products. On information and belief, MotorTech's sale, promotion, and/or instruction for use of Accused Products has been and is made with the specific intent that those products be used to infringe the Asserted Patent. On information and belief, the Accused Products and components thereof are imported with, and contain, instruction manuals (in English and German languages) directing users on the installation and use of the Accused Products in accordance with the claims of the '603 patent. On information and belief, MotorTech knowingly induces the infringing arrangement and use, and has the specific intent of encouraging infringement.

5. On information and belief, Defendant Does are additional infringers involved in the distribution and/or use of the Accused Products, including importers, resellers, and customers of Accused Products. Altronic may add Jane or John Does once the scope of their infringement is identified through discovery.

THE PARTIES

6. Plaintiff Altronic is a limited liability company organized under the laws of Ohio, with a principal place of business at 712 Trumbull Avenue, Girard, OH 44420.

7. On information and belief, Defendant MotorTech is a foreign corporation organized under the laws of Germany, with a principal place of business at Hunaeusstrasse 5, 29227 Celle, Germany.

JURISDICTION AND VENUE

8. This is an action for patent infringement under the patent laws of the United States, which are codified at Title 35 of the United States Code.

9. This Court has subject-matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

10. Venue is proper in this district as MotorTech is not a United States resident. Under 28 U.S.C. § 1391(c)(3), “[f]or all venue purposes... a defendant not resident in the United States may be sued in any judicial district.” Specifically, as it relates to a patent infringement lawsuit, a foreign corporation can be sued in any district.

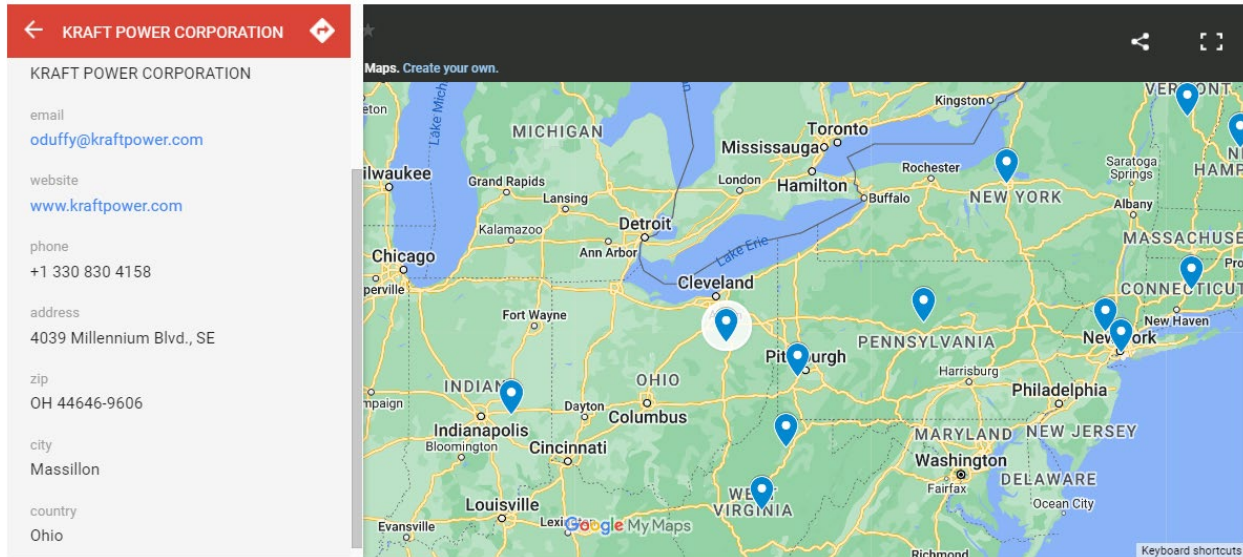
11. This Court has personal jurisdiction over MotorTech based on the business it conducts and/or causes to be conducted in this District related to the Accused Products.

12. On information and belief, MotorTech has actual knowledge that Accused Products are sold and/or offered for sale in this District.

13. MotorTech markets its products through its operation of an interactive website, available at <https://www.motortech.de/>. MotorTech’s website is publicly accessible to consumers throughout the United States, including those in this District.

14. MotorTech has a “Distributors” section on its website, available at <https://www.motortech.de/distributors.html>, where it promotes its “strong team of distributors

worldwide!” One of the distributors identified there is Kraft Power Corporation, which is located in this District:



15. On information and belief, MotorTech has regularly and systematically transacted business in this District, directly or through intermediaries, and has committed acts of patent infringement in this District as alleged more particularly below.

16. On information and belief, MotorTech has acted alone or in concert to make, use, import, sell, and/or offer to sell infringing products in this District.

17. On information and belief, MotorTech has actual or constructive knowledge that the infringing products are made, used, imported, sold, and/or offered for sale in this District.

18. On information and belief, MotorTech has purposefully availed itself of this District by regularly delivering infringing products into the stream of commerce with the expectation that they will be offered for sale, sold, and/or used in this District.

19. On information and belief, MotorTech derives substantial direct and/or indirect revenue from infringing products offered for sale, sold, and/or used in this District.

20. Altronic has suffered tortious injury within this District as a result of the offer for

sale, sale, and/or use of Accused Products in this District. The Court therefore has both general and specific personal jurisdiction over Defendants.

21. Additionally, or alternatively, Fed. R. Civ. P. 4(k)(2) provides that for a claim that arises under federal law, serving a summons or filing a waiver of service establishes personal jurisdiction over a defendant. When applying Rule 4(k)(2), courts exercise personal jurisdiction over a defendant when: (1) the plaintiff's claim arises under federal law; (2) the defendant is not subject to jurisdiction in any state's courts of general jurisdiction; and (3) the exercise of jurisdiction comports with due process.

22. The first element is met as Plaintiff's claim arises under 35 U.S.C. § 271.

23. The second element is met as, on information and belief, MotorTech is not subject to general jurisdiction in any state, is not incorporated, nor does it have a place of business in any state.

24. The third element is met as MotorTech has directed its activities to the United States, including in this District, the claim arises out of those activities, and asserting personal jurisdiction is fair as no other forum is available to Plaintiff for its claim.

25. All three prongs of the Federal Circuit's three-part test are met, so the exercise of personal jurisdiction comports with due process. Thus, Rule 4(k)(2) is satisfied, and this Court has personal jurisdiction over MotorTech.

FACTS

ALTRONIC'S IGNITION SYSTEM TECHNOLOGY

26. Altronic, among other things, develops and produces market-leading ignition systems, fuel controls, and instrumentation for internal combustion engine products. Thousands of consumers trust the Altronic brand for state-of-the-art ignition solutions to ensure reliable

operation of internal combustion engines that meets stringent state and federal emissions regulations.

27. Altronic is an established and respected leader in the field of internal combustion engine technology. Altronic has invested enormous resources in not only developing this technology, but also in establishing the industry itself, as well as achieving commercial acceptance of the technology in digital ignition systems in critical, continuous operation industrial engines.

28. Altronic products that practice at least one claim of the Asserted Patent include, but are not limited to, Altronic's VariSpark®, Directed Energy, and Directed Energy Ignition Systems lines of products.

THE ASSERTED PATENT

29. The United States Patent and Trademark Office duly issued United States Pat. No. 7,401,603 ("the '603 patent" a/k/a "Asserted Patent"), entitled "High Tension Capacitive Discharge Ignition with Reinforcing Triggering Pulses" on July 22, 2008. A true and correct copy of the Asserted Patent is attached as Exhibit 1.

30. Altronic is the owner of all right, title, and interest in the Asserted Patent.

COUNT I: INFRINGEMENT OF THE '603 PATENT

31. MotorTech uses Altronic's trademarks on its website and has copied Altronic's product design. *See, e.g.,* <https://www.motortech.de/products/ignition-systems/ignition-coils/altronic-style.html> (offering "Altronic® Style" ignition coils "designed to have the same characteristics in regards of standard and extended duration as well as the electrical characteristics to function with the ALTRONIC® patented 'Spark Reference' high voltage indication system.").

32. Defendants have infringed, directly and/or indirectly, and continue to infringe, at least claims 1 and 8 of the ‘Asserted Patent under 35 U.S.C. § 271, literally and/or under the doctrine of equivalents, by making, using, selling, offering to sell, and/or importing the Accused Products.

33. On information and belief, infringement of further claims of the Asserted Patent will be established after a reasonable opportunity for discovery.

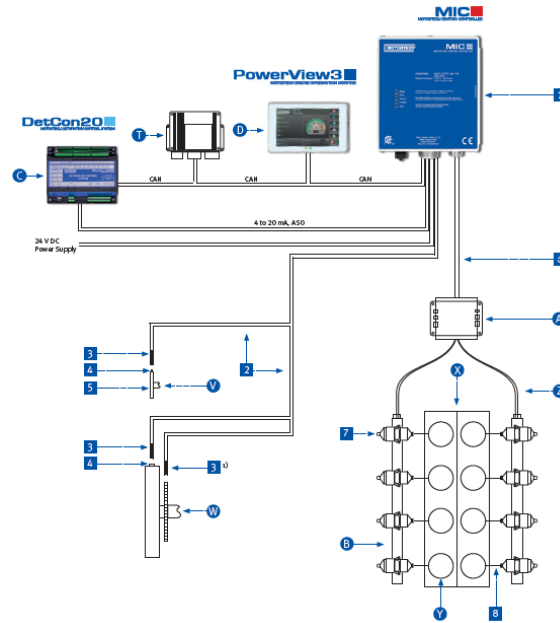
34. The infringement is supported by visual depictions of the Accused Products, MotorTech’s representations as to functionality in marketing materials and manuals, as well as other publicly available documents:

MIC4 – Ignition Controller

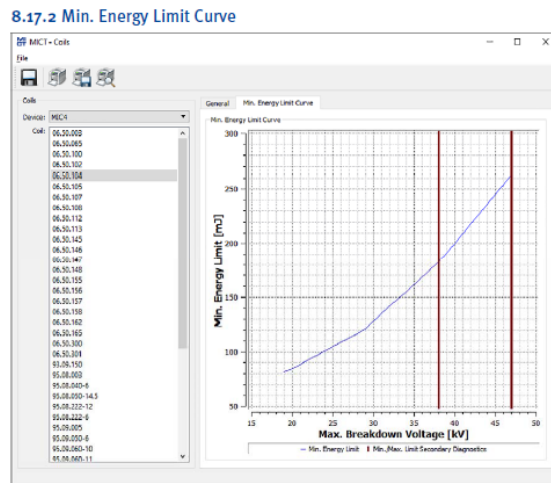
Operating Manual



https://www.motortech.de/fileadmin/user_upload/manuals/MOTORTECH-Manual-MIC4-01.10.010-EN-2021-10-WEB.pdf (“Operating Manual”) at 1.



https://www.motortech.de/fileadmin/user_upload/salesflyer/MOTORTECH-SalesFlyer-MIC-Series-Ignition-Controllers-01.15.025-EN-2019-12.pdf (“Sales Flyer”) at 8.



Min. Energy Limit Curve

The curve provides information on the energy in mJ necessary to achieve a certain maximum breakdown voltage in kV. The two vertical bars show the breakdown voltage area, in kV, in which a secondary diagnosis is possible. The corresponding energy settings can be found in the view *Timing - Schedule A/B - Energy* (refer to *Timing - Schedule A/B - Energy* on page 110).

When printing the coil data set, the curve values are also provided as a list.

Operating Manual at 163.

35. In particular, on information and belief, the Accused Products have all of the limitations of claim 1 of the Asserted Patent: a storage capacitor; a power supply connected in series with the storage capacitor; an ignition transformer having primary and secondary

windings; and a controllable switch; the primary winding of the ignition transformer and the storage capacitor being connected in series through the controllable switch; a spark plug connected in series with the secondary winding of the ignition transformer; the improvement comprising an electronic control circuit for driving the controllable switch which is operating in synchronism with the engine such that the switch is initially closed for a period of time to transfer energy to the ignition coil primary, that after this time, the switch is then opened for a second period of time and then the switch is again closed creating a pulse train, such that the switch is controlled by a successive string of control pulses to the switch, each of the individual pulse times having a duration and spacing as determined by the control circuit, these pulses being arranged in time to occur when it is possible to reinforce the ringing action of the ignition transformer secondary voltage resulting from the previous primary pulses, such that the open circuit breakdown voltage capability of the ignition transformer is increased.

36. Defendants' infringement continues in willful disregard of Altronic's rights, making this case exceptional under 35 U.S.C. § 285. On information and belief, MotorTech has had notice of the Asserted Patent since it issued on July 22, 2008. Indeed, MotorTech refers to Altronic's patented technology on its website.

37. In addition, Altronic duly marks its products with the Asserted Patent.

PRAYER FOR RELIEF

WHEREFORE, Altronic respectfully requests that the Court enter judgment in its favor, granting the following relief:

- A. Entry of a judgment that Defendants have infringed the Asserted Patent;
- B. Entry of a preliminary and permanent injunction enjoining Defendants and their officers, directors, employees, agents, consultants, contractors, suppliers,

distributors, and all others acting in privity with Defendants from further infringement of the Asserted Patent;

- C. Entry of a judgment that Defendants' infringement of the Asserted Patent has been and continues to be willful;
- D. Entry of an award to Altronic of damages adequate to compensate it for the infringement of the Asserted Patent by Defendants, in an amount to be proven at trial, together with pre-judgment and post-judgment interest and costs;
- E. Trebling the damages due to Defendants' willful infringement under 35 U.S.C. § 284;
- F. Entry of a finding that this case has been exceptional and awarding to Altronic its reasonable costs and attorney fees under 35 U.S.C. § 285;
- G. Entry of an award to Altronic of its attorneys' fees and costs in this action; and
- H. A grant to Altronic of such further relief that the Court deems just and proper or otherwise provided by law.

JURY DEMAND

Altronic demands a jury trial pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Dated: January 19, 2024

Respectfully Submitted,

/s/ Emily Mikes

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**pro hac forthcoming*

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