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09-CV-00329-CMP

Summons Issued SEA 24649

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

RANDY'S RING & PINION SERVICE INC.,

Plaintiff,

v.

REGAL-BELOIT CORPORATION and  
RICHMOND GEAR,

Defendant.

Civil Action No.

**C09-0329RAJ**

COMPLAINT FOR DECLARATORY  
JUDGMENT OF PATENT  
NONINFRINGEMENT

Plaintiff Randy's Ring and Pinion ("RR&P") brings this complaint against defendants Regal-Beloit Corporation ("Regal-Beloit") and Richmond Gear ("Richmond"), seeking a declaratory judgment that RR&P does not infringe patents owned or controlled by Regal-Beloit or Richmond.

**PARTIES TO THIS ACTION**

1. RR&P is in the business of developing and selling aftermarket differential products, including ring & pinions, axles, lockers, positractions, and related parts for automotive use. RR&P is a Washington corporation having a principal place of business at 10411 Airport Road SE, Everett, WA 98204.

COMPLAINT - 1

Civil Action No.

RRP1-6-1002P01CMP

**BLACK LOWE & GRAHAM** <sup>PLLC</sup>

701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206.381.3300 • F: 206.381.3301



1 Richmond or has otherwise authorized Richmond to make and sell products under the '015  
2 patent.

3 9. RR&P disclosed to Regal-Beloit and Richmond details relating to the new RR&P  
4 differential product for the purpose of demonstrating that the RR&P product does not infringe  
5 any patents owned or controlled by Regal-Beloit and Richmond, including the '015 patent.

6 10. RR&P met with Regal-Beloit and Richmond at RR&P's offices in Washington  
7 state concerning a new differential product to be sold by RR&P. The new product has been  
8 designed and is currently being manufactured for imminent sale.

9 11. During the course of their meeting, Regal-Beloit and Richmond explained that the  
10 new RR&P differential product infringed one or more patents owned by Regal-Beloit or  
11 Richmond.

12 12. RR&P believes that its new differential product does not infringe any patents  
13 owned or controlled by Regal-Beloit or Richmond, including at least the '015 patent.

14 13. Accordingly, a case of actual controversy exists among the parties concerning  
15 whether any RR&P differential product infringes any patent owned or controlled by Regal-Beloit  
16 and Richmond.

17 14. The RR&P products do not infringe any patents owned by Regal-Beloit or  
18 Richmond, and RR&P is therefore entitled to a declaration of noninfringement of any such  
19 patents, including the '015 patent.

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**REQUEST FOR RELIEF**

WHEREFORE, RR&P requests the following relief:

1. A declaration that RR&P does not infringe the '015 patent or any other patent owned or controlled by Regal-Beloit or Richmond; and
2. Such other and further relief as the Court may deem just and proper.

DATED this 13<sup>th</sup> day of March, 2009.

BLACK LOWE & GRAHAM<sup>PLLC</sup>



Lawrence D. Graham, WSBA No. 25,402

Email: graham@blacklaw.com

David A. Lowe, WSBA No. 25,453

Email: lowe@blacklaw.com

Douglas A. Grady, WSBA No. 36,100

Email: grady@blacklaw.com

701 Fifth Avenue, Suite 4800

Seattle, WA 98104

T: 206.381.3300

F: 206.381.3301

Attorneys for Plaintiff Randy's Ring & Pinion  
Service Inc.