

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

LEDALITE ARCHITECTURAL
PRODUCTS,

Plaintiff

v.

FOCAL POINT, L.L.C.,

Defendant.

Civil Action No.:

COMPLAINT AND JURY DEMAND

1. Plaintiff Ledalite Architectural Products (“Ledalite”) is a Canadian corporation having a principal place of business at 19750-92A Avenue, Langley, British Columbia, Canada

2. On information and belief, Defendant Focal Point, L.L.C. (“Focal Point”), is a limited liability corporation organized and existing under the laws of the State of Delaware and having a place of business at 4201 South Pulaski Road, Chicago, Illinois.

3. This action arises under the patent laws of the United States, 35 U.S.C. § 101, et seq. This Court has subject matter jurisdiction under one or more of 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a).

4. Focal Point has infringed, and is continuing to infringe, Ledalite’s patents identified below by making, importing, selling, offering to sell, and/or using within the United States certain lighting fixtures.

Count I (Patent Infringement)

5. Ledalite repeats and realleges the foregoing paragraphs.

6. Ledalite is the owner of United States Patent No. D556,358 (the “’358 patent”), issued on November 27, 2007, and has the right to sue on the ’358 patent. A copy of the ’358 patent is attached as Exhibit A.

7. Focal Point has infringed, and is continuing to infringe, the ’358 patent by making, importing, selling, offering to sell, and/or using within the United States lighting fixtures covered by the ’358 patent, including, for example, Focal Point’s “Equation” light fixtures.

8. Focal Point has induced and contributed to infringement by others of the ’358 patent by causing or aiding others to make, use, import, sell, and/or offer to sell goods covered by the ’358 patent within the United States, including, for example, Focal Point’s “Equation” light fixtures.

9. Focal Point’s infringement of the ’358 patent is and has been willful, has caused and will continue to cause Ledalite to suffer substantial damages, and has caused and will continue to cause Ledalite to suffer irreparable harm for which there is no adequate remedy at law.

Count II (Patent Infringement)

5. Ledalite repeats and realleges the foregoing paragraphs.

6. Ledalite is the owner of United States Patent No. D572,858 (the “’858 patent”), issued on July 8, 2008, and has the right to sue on the ’858 patent. A copy of the ’858 patent is attached as Exhibit B.

7. Focal Point has infringed, and is continuing to infringe, the ’858 patent by making, importing, selling, offering to sell, and/or using within the United States lighting fixtures covered by the ’858 patent, including, for example, Focal Point’s “Equation” light

fixtures.

8. Focal Point has induced and contributed to infringement by others of the '858 patent by causing or aiding others to make, use, import, sell, and/or offer to sell goods covered by the '858 patent within the United States, including, for example, Focal Point's "Equation" light fixtures.

WHEREFORE, Ledalite requests that this Court:

1. enter a preliminary and permanent injunction enjoining Focal Point and its affiliates, subsidiaries, officers, directors, employees, agents, representatives, licensees, successors, assigns, and all those acting for any of them or on their behalf, or acting in concert with them, from further infringement of any and all of the '358 and '858 patents;
2. award Ledalite compensatory damages, costs, and interest for patent infringement;
3. award Ledalite treble damages for the willful infringement of the '358 patent;
4. award Ledalite its reasonable attorneys' fees under 35 U.S.C. § 285; and
5. award Ledalite such other relief as the Court deems just and proper.

JURY DEMAND

Ledalite demands a trial by jury on all issues so triable.

Respectfully submitted,

LEDALITE ARCHITECTURAL PRODUCTS

Dated: July 10, 2008

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