

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

GARY L. REINERT, SR.,)	
)	
Plaintiff,)	Civil Action No. _____
)	
v.)	
)	JURY TRIAL DEMANDED
JAQUITH INDUSTRIES, INC.,)	
)	
Defendant.)	
_____)	

COMPLAINT

Plaintiff Gary L. Reinert, Sr., by and through its counsel, hereby alleges the following for its Complaint against Jaquith Industries, Inc. ("Jaquith"):

1. This is a civil action for the infringement of United States Patent No. 6,840,649 (the "'649 patent") and 6,773,136 (the "'136 patent"), both entitled "Stainless Steel Airport Light Container Apparatus and Method". This Court has jurisdiction under 28 U.S.C. §§ 1331 and 1338(a). Venue is proper in this District under 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b).

2. Plaintiff Gary L. Reinert, Sr. is a citizen of the Commonwealth of Pennsylvania, having a mailing address of P.O. Box 121, Wildwood, Pennsylvania 15091-0121.

3. Upon information and belief, Defendant Jaquith is a New York corporation having a principal place of business in Syracuse, New York.

4. Gary L. Reinert, Sr. is the owner of the '649 patent, which was duly and lawfully issued by the United States Patent and Trademark Office on January 11, 2005. A true and correct copy of the '649 patent is attached hereto as Exhibit A.

5. Gary L. Reinert, Sr. is the owner of the '136 patent, which was duly and lawfully issued by the United States Patent and Trademark Office on August 10, 2004. A true and correct copy of the '136 patent is attached hereto as Exhibit B.

6. Upon information and belief, Jaquith is manufacturing, selling and/or offering to sell products that infringe at least claim 21 of the '649 patent pursuant to 35 U.S.C. § 271. Jaquith is directly infringing, contributorily infringing and/or inducing the infringement of the '649 patent, and Jaquith will continue to infringe the '649 patent unless enjoined by this Court.

7. Upon information and belief, Jaquith is manufacturing, selling and/or offering to sell products that infringe at least claim 1 of the '136 patent pursuant to 35 U.S.C. § 271. Jaquith is directly infringing, contributorily infringing and/or inducing the infringement of the '136 patent, and Jaquith will continue to infringe the '136 patent unless enjoined by this Court.

8. Jaquith's activities and infringement of the '649 patent are willful and wanton, constituting willful infringement of such United States patent under 35 U.S.C. § 285.

9. Jaquith's activities and infringement of the '136 patent are willful and wanton, constituting willful infringement of such United States patent under 35 U.S.C. § 285.

10. Gary L. Reinert, Sr. and/or his licensees under the '649 patent have been irreparably damaged and will continue to be irreparably damaged by reason of Jaquith's infringement of the '649 patent unless this Court restrains the infringing acts of Jaquith. Gary L. Reinert, Sr. is without an adequate remedy at law.

11. Gary L. Reinert, Sr. and/or his licensees under the '136 patent have been irreparably damaged and will continue to be irreparably damaged by reason of Jaquith's

infringement of the '136 patent unless this Court restrains the infringing acts of Jaquith. Gary L. Reinert, Sr. is without an adequate remedy at law.

WHEREFORE, Plaintiff Gary L. Reinert, Sr. prays:

A. That Defendant Jaquith, its officers, employees, agents, and those persons in active participation with them be permanently enjoined from infringing United States Patent No. 6,840,649;

B. That Defendant Jaquith, its officers, employees, agents, and those persons in active participation with them be permanently enjoined from infringing United States Patent No. 6,773,136;

C. That a decree be entered adjudging that Defendant Jaquith infringed U.S. Patent No. 6,840,649 and that such infringement was willful;

D. That a decree be entered adjudging that Defendant Jaquith infringed U.S. Patent No. 6,773,136 and that such infringement was willful;

E. That Defendant Jaquith be ordered to pay damages to Centricity pursuant to 35 U.S.C. § 284, including interest from the dates of infringement, resulting from Defendant Jaquith's infringement of U.S. Patent No. 6,840,649;

F. That Defendant Jaquith be ordered to pay damages to Centricity pursuant to 35 U.S.C. § 284, including interest from the dates of infringement, resulting from Defendant Jaquith's infringement of U.S. Patent No. 6,773,136;

G. That Defendant Jaquith be ordered to pay to Centricity treble damages pursuant to 35 U.S.C. § 284, resulting from Defendant Jaquith's willful infringement of U.S. Patent No. 6,840,649;

H. That Defendant Jaquith be ordered to pay to Centricity treble damages pursuant to 35 U.S.C. § 284, resulting from Defendant Jaquith's willful infringement of U.S. Patent No. 6,773,136;

I. That Plaintiff Gary L. Reinert, Sr. be awarded its cost of this action and reasonable attorney fees pursuant to 35 U.S.C. §§ 284 and 285; and


J. That Plaintiff Gary L. Reinert, Sr. be awarded such further relief as this Court may be deemed just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff Gary L. Reinert, Sr. hereby demands a trial by jury for all issues triable by a jury.

Respectfully Submitted,

Date: November 13, 2007



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