



information and belief, the Defendant Recaro Aircraft Seating, Inc. is a corporation doing business in Texas and throughout the United States, with a registered address of 2275 Eagle Parkway, Fort Worth, Texas 76177.

## **B. PARTIES**

5. Plaintiff B/E Aerospace is a business corporation organized and existing under the laws of the State of Delaware, is domesticated in North Carolina and has a principal place of business in Winston-Salem, North Carolina.

6. Upon information and belief, Defendants are each involved in the design, manufacture and sale of, inter alia, aircraft passenger seats throughout the world, including within the State of North Carolina and this district.

## **C. CLAIM FOR RELIEF AGAINST DEFENDANT**

### Patent Infringement

7. Plaintiff B/E Aerospace is the owner by assignment of all right, title and interest in and to United States Patent No. 5,560,681, entitled "Seat Bottom Extension Mechanism for Passenger Seats", hereinafter referred to as the "B/E Patent."

8. Defendants have infringed and continue to infringe the B/E Patent by manufacturing, importing into the United States, using, selling and offering for sale in this District and elsewhere, passenger seats that come within the scope of the B/E Patent in violation of the Patent Laws of the United States, including, inter alia, 35 U.S.C. § 271, or which contributorily infringe or induce infringement of the B/E Patent by others.

9. Defendants have knowledge of the B/E Patent and are manufacturing, using, selling or offering for sale infringing passenger seats with knowledge of the B/E Patent, and therefore are willfully infringing the B/E Patent.

10. These acts of infringement are irreparably harming and causing damage to Plaintiff B/E Aerospace and will continue to do so unless and until restrained by this Court.

WHEREFORE, Plaintiff prays:

A. That this Court preliminarily and permanently enjoin Defendants from infringing the B/E Patent in accordance with 35 U.S.C. §283; and engaging in any advertising or sales of its infringing products;

B. That Plaintiff be awarded judgment against Defendants for damages resulting from its infringement of the B/E Patent, and that such damages be trebled in accordance with provisions of 35 U.S.C. §284, and for reasonable attorneys' fees in accordance with 35 U.S.C. §285;

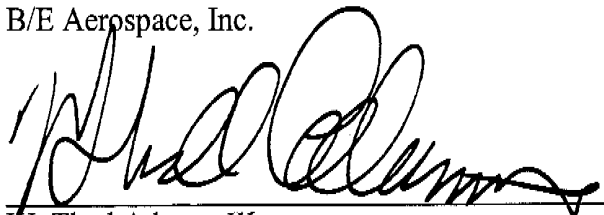
C. That this Court award Plaintiff interest, cost and such further relief that this Court deems just and equitable; and

D. That this Court order Defendants to pay Plaintiff all its reasonable taxable costs and attorneys' fees in a sum and manner deemed appropriate by this Court based on the deliberate and willful infringement by Defendants as set forth in this Complaint.

Respectfully submitted,

B/E Aerospace, Inc.

By:



W. Thad Adams, III  
NC State Bar #000020  
Attorney for the Plaintiff

OF COUNSEL:

W. Thad Adams, III  
Stephen S. Ashley, Jr.  
ADAMS EVANS P.A.  
2180 Two Wachovia Center  
301 S. Tryon Street  
Charlotte, North Carolina 28282  
Tel: (704) 375-9249  
Fax: (704) 375-0729

Gregory A. Madera  
FISH & RICHARDSON, P.C.  
225 Franklin Street  
Boston, MA 02110-5070  
Tel: (617) 542-5070  
Fax: (617) 542-8906