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patent
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CENTRAL DISTRICT COURT
LOS ANGELES

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES

14 SUNSTONE DENTAL, LLC, a
15 California Limited Liability Company,

CV 09-02147 ODW (Ex)
Case No.

16 Plaintiff,
17 vs.

COMPLAINT FOR PATENT
INFRINGEMENT AND DEMAND
FOR JURY TRIAL

18 KAVO DENTAL GMBH, a business
19 form unknown; KAVO DENTAL
20 CORPORATION, an Illinois
21 Corporation,

22 Defendants.

23 Plaintiff Sunstone Dental, LLC ("Sunstone"), for its Complaint against
24 Defendants KAVO DENTAL GMBH, a business whose form is unknown and
25 KAVO DENTAL CORPORATION, an Illinois corporation, alleges on information
26 and belief as follows:

27 PARTIES

28 1. Plaintiff Sunstone is a California corporation having a principal place of

1 business at 42580 Rio Nedo, Temecula, CA 92590-3727, the County of Riverside.

2 2. Upon information and belief, KAVO DENTAL GMBH, a business form
3 unknown, incorporated in Germany and having its principal place of business in
4 Germany, with its offices at Bismark Ring 39, D-88400 Biberach, Bundes Republik
5 Deutschland, Federal Republic of Germany.

6 3. Upon information and belief, Defendant KAVO DENTAL
7 CORPORATION formerly known as KAVO AMERICA is a corporation organized
8 and existing under the laws of the state of Illinois, having a principal place of business
9 at 340 East Route 22, Lake Zurich, Illinois, 60047.

10 **JURISDICTION AND VENUE**

11 4. This is a civil action for patent infringement, injunctive relief, and
12 damages arising under the United States Patent Act § 1, et seq. Jurisdiction is
13 conferred upon this Court pursuant to 28 U.S.C. §§ 1331 and 1338(a).

14 5. KAVODENTAL GMBH is a foreign business entity, form unknown, with
15 its principal place of business in Germany, but it conducts business throughout the
16 United States, including in this Judicial District, and has committed the acts
17 complained of in this Judicial District and elsewhere.

18 6. KAVO DENTAL CORPORATION, formerly known as KAVO
19 AMERICA, is an Illinois corporation with its principal place of business in Lake
20 Zurich, Illinois, and it conducts business throughout the United States, including in this
21 Judicial District, and has committed the acts complained of in this Judicial District and
22 elsewhere.

23 7. Defendants are the agents of each other; and entered into a conspiracy to
24 perform the acts complained of herein.

25 8. Venue is proper in this Judicial District pursuant to 28 U.S.C. § 1391(b),
26 (c) and 1400(b).

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CLAIM FOR RELIEF

INFRINGEMENT OF U.S. PATENT NO. 5,554,896

9. Plaintiff incorporates by reference and realleges each of the allegations set forth in Paragraphs 1-7 above.

10. On September 10, 1996, U.S. Patent No. 5,554,896 (“the ‘896 Patent”), entitled “Portable Power Supply for Handpieces,” was duly and legally issued by the United States Patent and Trademark Office. Sunstone is the owner of all right and title, both legal and equitable, to the ‘896 Patent, and has been the owner of the ‘896 Patent since its assignment to it on or about 2006. A copy of the ‘896 Patent is attached hereto as Exhibit 1.

11. The ‘896 Patent relates to portable power supply system utilizing a foot controller and a lightweight sealed electric motor assembly.

12. Sunstone developed, manufactured and distributed products embodying the inventions of the patent in suit. Sunstone spent considerable time, effort and resources developing and promoting its products embodying the inventions of the patent in suit.

13. The Defendants have engaged in the manufacture, use, distribution, import, offer for sale, and other activities of products embodying the inventions of the patent in suit in this Judicial District and throughout the United States.

14. Defendants have ongoing and systematic contacts with this Judicial District and throughout the United States. Defendants have placed products infringing the patent in suit in the stream of commerce, knowing and expecting that such products would end up in this Judicial District.

15. By virtue of its exclusive license to the patent in issue, Plaintiff Sunstone has acquired and continues to maintain the right to sue thereon and the right to recover for infringement thereof.

16. Defendants have directly infringed the ‘896 Patent through its

1 manufacture, sale, use, import and other activities relating to their electric dental power
2 supply products, including the "ELECTROtorque" line of products.

3 17. In addition, KaVo has contributed to the infringement of the '896 Patent
4 by others, and induced the infringement of the '896 Patent by others, through its
5 activities relating to its electric dental power supply publishing products, including its
6 "ELECTROtorque" line of products.

7 18. KaVo's acts of infringement have caused damage to Sunstone in an
8 amount to be determined at trial.

9 19. KaVo's infringement of the '896 Patent is causing irreparable harm to
10 Sunstone, for which there is no adequate remedy at law. KaVo's infringement will
11 continue, and will continue to cause irreparable harm to Sunstone, unless KaVo's
12 infringement is enjoined by this Court.

13 20. Defendant has willfully infringed the '896 patent by continuing its acts of
14 infringement after being placed on written notice of its infringement, acting in reckless
15 disregard of Sunstone's patent rights, entitling Sunstone to enhanced damages under
16 35 U.S.C. § 284 and attorneys' fees and non-taxable costs under 35 U.S.C. § 285.

17 PRAYER FOR RELIEF


18 WHEREFORE, Sunstone prays for judgment and seeks relief as follows:

- 19 1. A judgment that Defendants have infringed U.S. Patent No. 5,554,896;
20 2. Preliminary and permanent injunctions against further infringement of
21 U.S. Patent No. 5,554,896, including injunctions against direct infringement,
22 contributory infringement, and induced infringement;
23 3. An award of damages for Defendants' infringement of U.S. Patent No.
24 5,554,896;
25 4. A trebling of the award of damages under 35 U.S.C. § 284, or such other
26 enhancement of the award of damages that the Court deems appropriate;
27 5. A declaration that Defendants' infringement of U.S. Patent No. 5,554,896
28 was and is willful, and that this is an exceptional case under 35 U.S.C. § 285;

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- 6. An award of attorneys' fees and non-taxable costs under 35 U.S.C. § 285 on account of Defendants' willful infringement;
- 7. An award of taxable costs and an assessment of interest;
- 8. That Defendants be ordered to deliver to plaintiff, for destruction at plaintiff's option, all products that infringe that patent in suit;
- 9. That Defendants be required to account for all profits, gains, advantages, and unjust enrichment derived from its violations of law; and
- 10. Such other and further relief as this Court may deem just and proper.

Dated: March 26, 2009

SMITH, CHAPMAN & CAMPBELL

 STEVEN C. SMITH
 WILLIAM D. CHAPMAN
 Attorneys for Plaintiff Sunstone Dental, LLC

DEMAND FOR JURY TRIAL

The Plaintiff hereby demands a jury trial.

Dated: March 26, 2009


SMITH, CHAPMAN & CAMPBELL

 STEVEN C. SMITH
 WILLIAM D. CHAPMAN
 Attorneys for Plaintiff Sunstone Dental, LLC

EXHIBIT 1



United States Patent [19]
Hogan

[11] **Patent Number:** 5,554,896
[45] **Date of Patent:** Sep. 10, 1996

- [54] **PORTABLE POWER SUPPLY FOR HANDPIECES**
- [75] **Inventor:** Donald J. Hogan, Carlsbad, Calif.
- [73] **Assignee:** Miyad, Del Mar, Calif.
- [21] **Appl. No.:** 331,985
- [22] **Filed:** Oct. 28, 1994
- [51] **Int. Cl.⁶** H02J 7/00
- [52] **U.S. Cl.** 307/150; 307/118; 604/22; 604/21; 433/82; 433/119; 235/472
- [58] **Field of Search** 307/150, 116, 307/118; 604/22, 65, 21; 433/29, 119, 80, 82; 320/2; 324/326, 329; 235/472

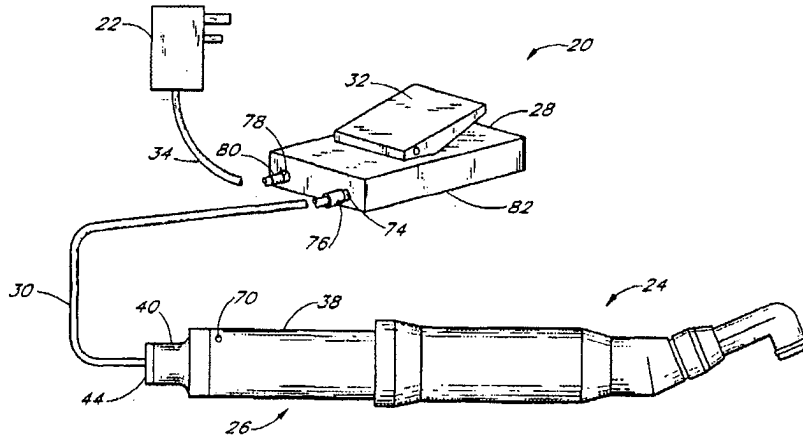
4,286,949	9/1981	Holt	433/116
4,463,759	8/1984	Garito et al.	128/303.14
5,019,767	5/1991	Shirai et al.	320/2
5,136,469	8/1992	Carusillo et al.	361/397
5,324,197	6/1994	Shain et al.	433/29
5,429,601	7/1995	Conley et al.	604/25

Primary Examiner—William M. Shoop, Jr.
Assistant Examiner—Albert W. Paladini
Attorney, Agent, or Firm—Knobbe, Martens, Olson & Bear
[57] **ABSTRACT**

A portable power supply system utilizes a foot controller and a lightweight, sealed electric motor assembly which attaches to any International Standard E-Coupling handpiece. The foot controller is adaptable for use with either an AC/DC adaptor or a rechargeable battery. A coaxial cable connects the variable voltage supply from the foot controller to the low voltage, DC motor assembly. The motor assembly is sterilizable, lightweight, and quiet, making it ideal for use by dentists, oral or orthopedic surgeons, laboratory technicians, or anyone else desiring an economical, portable power supply for handpieces.

- [56] **References Cited**
- U.S. PATENT DOCUMENTS**
- 2,629,539 2/1953 Drewes, Jr. 230/58
- 3,077,665 2/1963 Salzman 32/22
- 3,081,542 3/1963 Sherfy 32/22
- 3,553,840 1/1971 Bordelon 32/22

20 Claims, 3 Drawing Sheets



U.S. Patent

Sep. 10, 1996

Sheet 1 of 3

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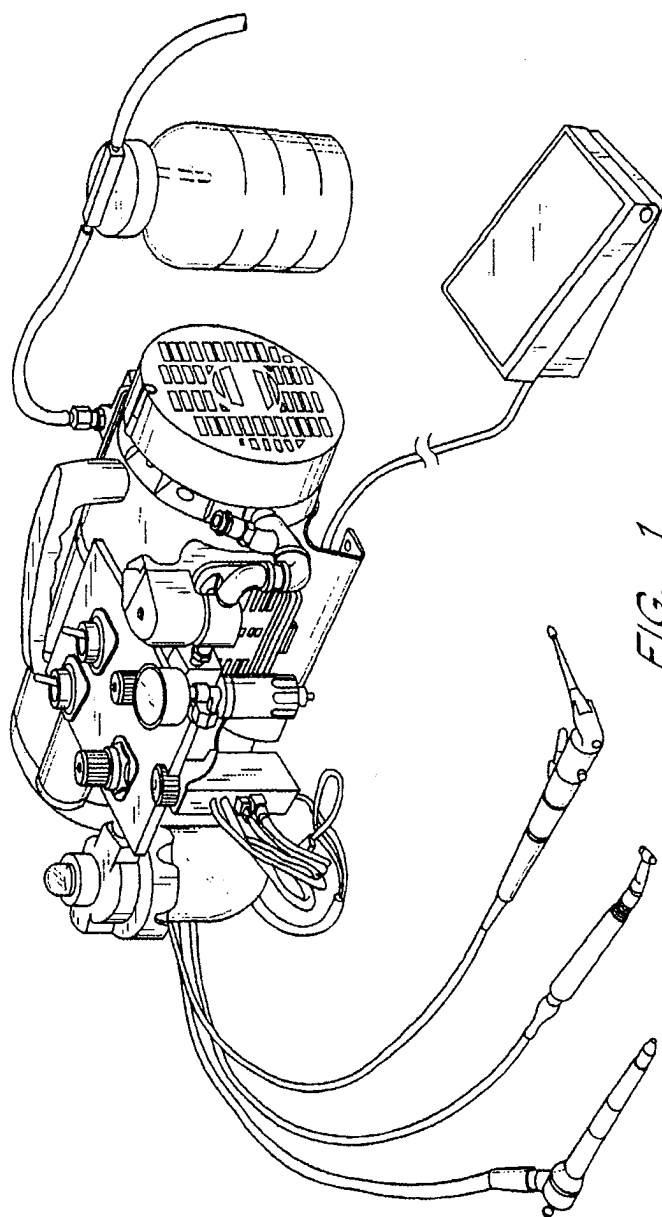


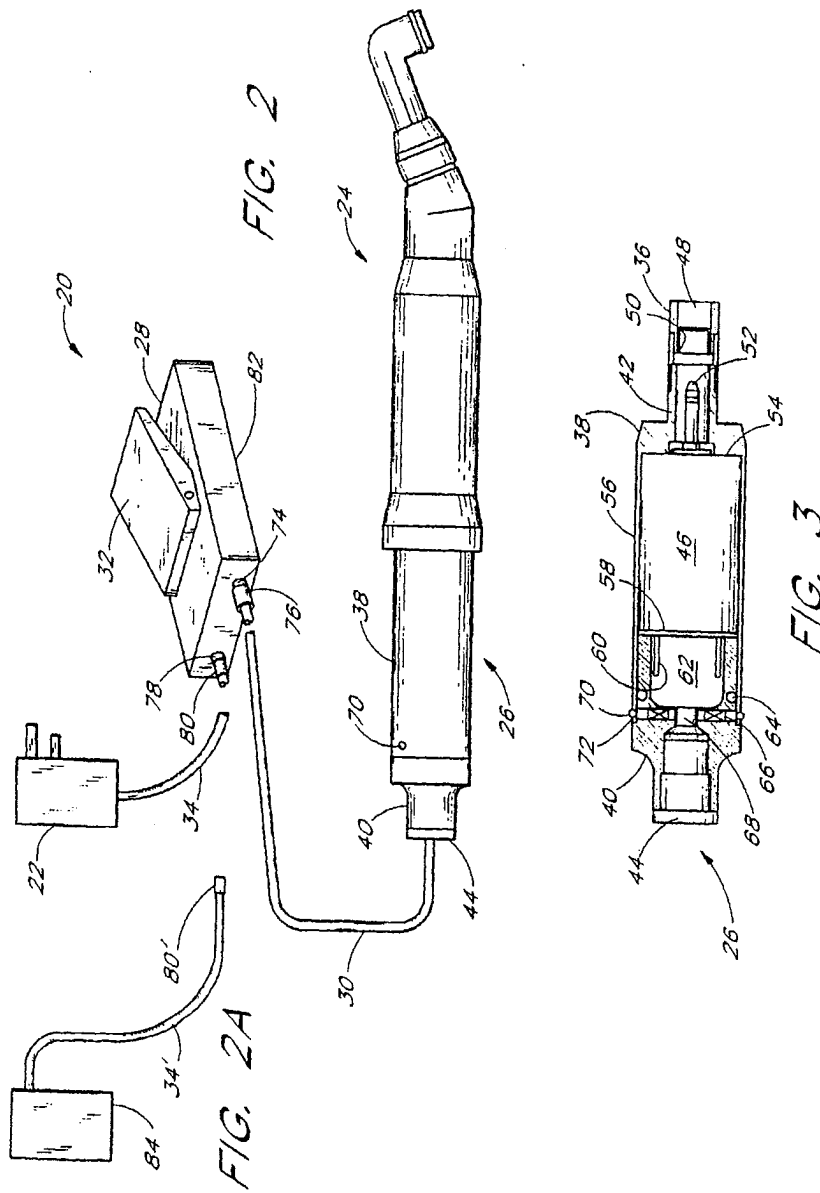
FIG. 1
(PRIOR ART)

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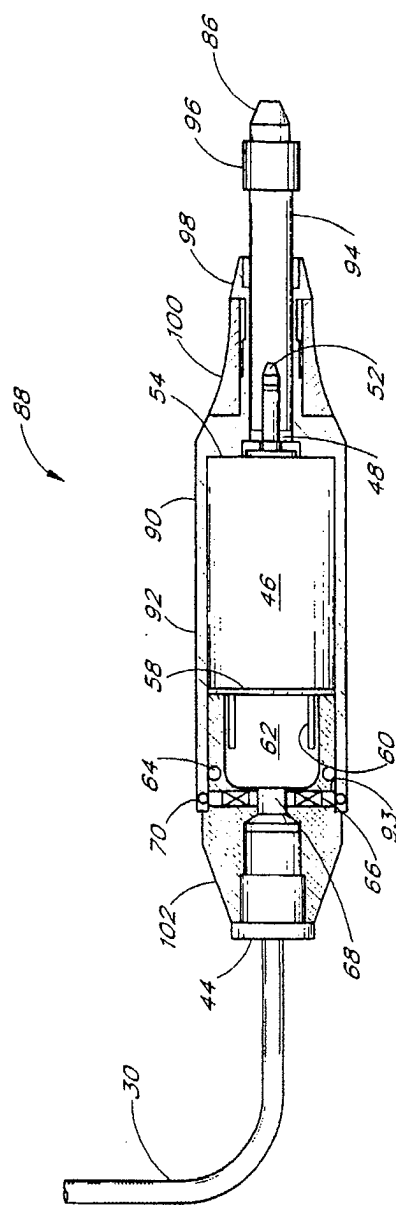


FIG. 4

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PORTABLE POWER SUPPLY FOR HANDPIECES

BACKGROUND OF THE INVENTION

The present invention pertains to the field of power supply systems for dental, surgical, and industrial handpieces and the like, and, in particular, to a portable, sterilizable, electric power supply which includes an independent power source.

Handpieces or hand tools are used by a variety of professionals, such as dentists, surgeons, technicians, etc. They operate by means of a "power supply" which may utilize electrical or pneumatic energy to drive or power the tool. When handpieces are required to be used in locations outside of normal offices, they may utilize a portable power supply. These outside locations include patient homes, nursing facilities, remote clinics, and other field locations, such as disaster sites or battlefields. Thus, portable power supplies for handpieces are desirable for use in situations where the doctor or technician does not have access to normal office equipment.

While some portable electric power supplies exist, most are pneumatic; although, both electric and pneumatic power supplies are rather large, noisy, and expensive. One example of a portable pneumatic power supply is described in U.S. Pat. No. 4,286,949 issued to Holt, Jr. Electric power supplies are not typically sterilizable because their components are not sealed, and they are subject to lack of power and power failures because they rely on electrical lines at the site. Although the pneumatic power supplies are sterilizable, they also rely on electrical lines at the site, which may not be available, to power the pneumatic compressor. In addition, pneumatic power supplies require costly maintenance because of the lubricated components which comprise the compressor-motor assembly. Sterilization is highly desirable because of the often infectious environments in which the handpieces may be used. A noise suppression box may be used with these types of portable power supplies, however this only adds to the cumbersome nature and decreases portability.

Thus, a need exists for an improved portable power supply for handpieces that overcomes the problems associated with prior art devices.

SUMMARY OF THE INVENTION

The portable power supply system of the present invention overcomes those problems by including (i) a sealed, sterilizable electric motor assembly which is attachable to a variety of standardized handpieces or handheld tools, and (ii) detachable connection of the motor assembly to a variable voltage foot controller which is adaptable to either an AC/DC adaptor or a rechargeable battery. Thus, the power supply system of the present invention has a motor assembly that is readily autoclavable, is not dependent upon the availability of power at a remote site, is compact and economical, and may be used with any International Standard (ISO) 3954-1982E type handpiece or common laboratory tools.

The variable voltage controller is comprised of a standard foot controller, such as used for sewing machines, with connections for either the AC/DC adaptor or the battery. A conventional coaxial cable is used to communicate the DC voltage output from the foot controller to the electric motor, which is housed in a small, lightweight body with an International Standard male connection at one end. The body is completely sealed, thereby virtually eliminating maintenance

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requirements and allowing the motor assembly to be autoclaved or sterilized between uses.

The resulting power supply system of the present invention is more compact and quieter than existing systems, and the low voltage requirements of the motor assembly result in added economy. The elimination of the need to clean and replace lubricated parts, which is required in pneumatic systems, further results in ecological benefits, as well as cost savings to the user. The simple, compact structure of the motor assembly results in reduced manufacturing costs, and the use of conventional connections and a commercially available foot controller further adds to a less expensive system.

Further advantages and applications will become apparent to those skilled in the art from the following detailed description and the drawings referenced herein.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a perspective view of a pneumatic power supply system of the prior art.

FIG. 2 is a perspective view illustrating an embodiment of the portable power supply system of the present invention, wherein an electrical adaptor is used.

FIG. 2a is a perspective view illustrating an alternate embodiment of the portable power supply system, wherein a rechargeable battery unit is utilized.

FIG. 3 is a partially cross-section view of the motor assembly of the portable power supply system of the present invention as shown in FIG. 2.

FIG. 4 is a partially cross-section view of an alternate embodiment of the motor assembly of the portable power supply system of the present invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

As illustrated in FIG. 1, the portable power supply systems of the prior art are relatively large and cumbersome, and are typically noisy. The pneumatic power supply system 10 shown in FIG. 1 further requires greater maintenance effort and expense due to its movable, working parts.

In contrast, the portable power supply system of the present invention, illustrated in FIG. 2 and indicated generally by the reference numeral 20, is compact, lightweight, quiet, and substantially maintenance-free. The basic components of the system include an access to an electrical power source and a variable voltage controller. The variable voltage controller controls the current from the higher voltage power source to a low voltage, direct current (DC) motor assembly attached to the proximal end of a handpiece.

In the embodiment illustrated in FIG. 2, the electrical power source is a typical alternating current (AC) outlet (not shown), and the access is provided by an AC/DC adaptor 22, of any conventional type well known to those skilled in the art. Since standard outlet voltage varies in different parts of the world, AC/DC adaptors appropriate to the local electrical supply may be used. Although, as shown in FIG. 2a, the reliance on working electricity in any part of the world can be eliminated by the use of a rechargeable battery unit 84 as the power source for the system 20 of the present invention.

Further, as shown in the prior art system 10 of FIG. 1, there are several types of handpieces available for use with a portable power supply. Accordingly, the handpiece 24 illustrated in FIG. 2 for the portable system 20 of the present

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invention serves merely as an illustration of the handpieces which may be accommodated.

Referring now in detail to the system 20 of the present invention illustrated in FIG. 2, it can be seen that the handpiece 24 is accommodated at its proximal end to the distal end of the motor assembly 26. The compact motor assembly 26, in turn, is connected at its proximal end to the foot controller 28 via a conventional coaxial cable 30. The foot controller 28 is of a standard type capable of varying the voltage from its power source and delivering a reduced voltage to the motor assembly 26. Pressure by a foot on the lever 32 activates the delivery of current through the controller 28, and increased pressure by the foot results in increased current or voltage. Thus, the doctor or operator has only to use one hand to maneuver the handpiece 24, while his foot operates the motor assembly 26 and the other hand is free to perform other tasks. It should be noted in FIG. 2 that a connecting cable 34 between the AC/DC adaptor 22 and foot controller 28 is of adequate length to allow the foot controller 28 to be located on the ground proximate the patient, away from the outlet, and the coaxial cable 30 is of a length adequate to allow the handpiece 24 to be held by the doctor when standing adjacent the patient.

As shown in FIG. 2, the lever 32 is hinged at its end closest to the connections. The lever 32 is of a rectangular shape covering substantially the entirety of the top of the body 82 of the controller 28. The construction and operation of the foot controller 28 are well-known to those skilled in the art.

The foot controller 28 has two connections in the supply system 20 of the present invention. One connector 74 is male and is inserted into the female connector 76 on the proximal end of the coaxial cable 30 which is attached to the motor assembly 26. The other connector 78 is female and receives the male connector 80 from the cable 34 attached to the AC/DC adaptor 22.

Alternately, as illustrated in FIG. 2a, the battery unit 84 has a connector 80' for mating with the foot controller 28 in lieu of the AC/DC adaptor 22. The use of the battery 84 allows the power supply system to be used in remote locations either not having access to electricity or having undependable electrical supply. The battery unit 84 is preferably of a rechargeable type for economy, although any battery type of adequate voltage having the appropriate connector 80' and cable 34' may be used.

Referring now to FIG. 3, the motor assembly 26 is illustrated (viewed right to left) with its retainer 36, housing 38, and end cap 40 shown in cross-section. The distal end of the assembly 26 comprises a male connector portion 42 of a type known as an International Standard male E-coupling. This connector 42 provides versatility in accommodating any of a variety of handpieces having the corresponding female connector portion (not shown) on its proximal end. The proximal end of the motor assembly 26 comprises a female connector 44 to receive a male connector (not shown) of the coaxial cable 30. When the handpiece 24 and the coaxial cable 30 are removed, the motor assembly 26 may be sterilized without harm to the DC electric motor 46 contained within the housing 38, since the housing 38 is well-sealed, as described below in connection with FIG. 3.

When the handpiece 24 is inserted over the standard ISO male connector 42 of the motor assembly 26, a cylindrical portion (not shown) located within the proximal end of the handpiece 24 is received into a passage 48 of the connector 42. A spring 50 located proximal the retainer 36 provides the tight fit necessary to affix the handpiece 24 onto the motor

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assembly 26. A driving pin 52 of the electric motor 46 extrudes into the passage 48 and provides the necessary rotary energy to drive the handpiece 24.

As shown in FIG. 3, the pin 52 is centrally located on a distal face 54 of the electric motor 46. The housing 38 encasing the pin 52 and motor 46 has a main body 56 with an inner diameter substantially the same as the diameter of the electric motor 46, thus ensuring a tight, sealing fit. A high temperature, preferably silicone, sealant is used on the distal face 54 of the motor 46 to provide additional sealing in the housing 38. A spring washer 58 is similarly sized to fit within the housing 38 and engages the proximal end of the motor 46. The spring washer 58 biases the motor 46 distally so that its distal face 54 is further provided with a secure seal. Connectors 60 extrude from the proximal end of the motor 46 through apertures (not shown) in the washer 58, and are received into a cavity 62 formed at the distal end of the end cap 40.

The distal end of the end cap 40 also has an outer diameter substantially the same as the inner diameter of the housing's main body 56, in which it is engaged. The exterior of the distal half of the end cap 40 is fluted, wherein the distal end has a reduced outer diameter adequate to receive the widest, distal portion of the connector 44. The connector 44 is hermetically sealed in the end cap 40. An O-ring 64 is located proximate the proximal end of the housing 38 to further provide sealing of the motor assembly 26. Thus, the sealant applied to the distal face 54, the spring washer 58, and the O-ring 64 components, along with other components and tolerances, hermetically seal the motor 46 within the housing 38.

Engagement of the end cap 40 onto the proximal end of the housing 38 is accomplished via springs 66 surrounding a passage 68 communicating the Cable connector 44 to the cavity 62. The springs 66 provide outward pressure on pins 70 which extend through holes 72 located on the periphery of the proximal end of the housing 38. Thus, the end cap 40 is removable by manually depressing the pins 70, if necessary for service or maintenance.

Wires (not shown) for the electrical connection between the connectors 60 and the connector 44 extend from the cavity 62 through the passage 68. Thus, the connector 44 comprises a "jack-type" electrical connector which receives the probe of the male connector on the distal end of the cable 30. The connector 44 has a distal portion of a reduced diameter comprising one electrode and a more proximal portion of a larger diameter comprising the other electrode of the opposite charge. These charges are provided by wires soldered to the connectors 60. Thus, the electrical connection between the cable 30 and connectors 60 is accomplished.

A motor assembly of the system 20 of the present invention is not only operable as an extension to a handpiece, but may also be used as a handle and power supply for small tools such as used in laboratories. That is, a chuck and collet configuration may be used in place of the male E-coupling to attach various tools or bits rather than ISO E-type handpieces, as illustrated in FIG. 4. Laboratory technicians and the like can thus use an alternate embodiment of the motor assembly to attach a tool 86 directly onto the distal end of the motor assembly 88, with the housing 90 of the assembly 88 comprising the handle necessary to grip and maneuver the tool 86.

As illustrated in FIG. 4, the DC motor 46 is contained within substantially the same casing as the previous motor assembly 26 of FIG. 3. Here, like numbers refer to like parts.

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The housing 90 includes a main body 92 having a slightly larger outer diameter than the housing 38. This larger diameter allows the pins 70 to be contained in recesses 93 formed on the inner circumference of the body 92. Thus, the pins 70 do not extrude to the exterior of the housing 90.

In the motor assembly of FIG. 4, the distal end is adapted to include a shaft 94 and nut 96 for attachment of the tool 86. The nut 96 is located on the distal end of the shaft 94, and the tool 86 is simply inserted and the nut releasably tightened. Thus, the exchange of tools is simple and quickly accomplished.

The shaft 94 has an outer diameter substantially the same as the passage 48 and extends to proximate the base of the driving pin 52. A nut 98 replaces the retainer 36 of the other motor assembly 26 and affixes the shaft 94 to the distal end of the housing 90. A smoothly contoured spacer 100 surrounds what was the male connector 42 of the other assembly 26, and together with a tapered outer surface of the end cap 102, provides a more uniform and better feeling exterior for handling by the technician.

Accordingly, the portable power supply 20 of the present invention provides a compact and multi-functional power source for doctors and others requiring same. The ISO compatible male connector 42 of the motor assembly 26 in one embodiment can accommodate a variety of handpieces, as likewise the shaft 94 and nut 96 of the motor assembly 88 in another embodiment can accommodate a variety of hand-held tools. An AC/DC adaptor 22 appropriate for the local electricity may be used, or a battery unit 84 may be substituted in remote or more hostile locations. Finally, the sealed casings of motor assemblies 26 and 88 significantly reduces the incumbent maintenance of the power supply 20, and further allows the motor assembly 26 or 88 to be sterilized as required along with the handpieces or tools.

Thus, the electric power supply system 20 of the present invention affords versatility, portability, and reliability heretofore unavailable. Other changes and modifications may be made from the embodiments presented herein by those skilled in the art without departure from the spirit and scope of the invention, as defined by the appended claims.

What is claimed is:

1. A portable power supply system for handpieces comprising:
 - a variable voltage foot controller having a disconnectable electrical power source comprised of a rechargeable battery unit;
 - a sealed and sterilizable electric motor assembly including a distal end having a male coupling for type ISO-3954-1982B handpieces and a proximal end having a connector; and
 - a coaxial cable connected at one end to the variable voltage foot controller and at the other end to said connector on said proximal end of the sealed electric motor assembly.
2. The power supply system of claim 1, wherein said disconnectable electrical power source is an AC/DC adaptor for plugging into an electrical outlet.
3. A portable power supply system for hand-held laboratory tools comprising:
 - a variable voltage foot controller having a disconnectable electrical power source comprised of a rechargeable battery unit;
 - a housing;
 - a sealed and sterilizable electric motor assembly disposed within the housing and including a distal end for

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receiving a laboratory tool and a proximal end having a connector, said connector hermetically sealed in said proximal end, the sealed electric motor assembly further including an electric motor distal to said connector and sealed at its distal end;

- a spring washer biasing said motor against the housing;
 - an O-ring positioned between said connector and said motor; and
 - a coaxial cable connected at one end to the variable voltage foot controller and at the other end to said connector on said proximal end of the sealed electric motor assembly.
4. The power supply system of claim 3, wherein said disconnectable electrical power source is an AC/DC adaptor for plugging into an electrical outlet.
 5. A portable power supply system for handpieces comprising:
 - a foot controller having a connector for detachably receiving an electrical power source;
 - a cable including a first end and a second end, said first end having a first connector for attachment to the foot controller, said second end having a second connector; and
 - a sterilizable motor assembly having a distal end for receiving a handpiece and a proximal end for attachment to said second connector on said second end of the cable.
 6. The power supply system of claim 5, wherein said electrical power source is an AC/DC adaptor for plugging into an electrical outlet.
 7. The power supply system of claim 5, wherein said electrical power source is a rechargeable battery unit.
 8. The power supply system of claim 5, the motor assembly further having a male coupling on said distal end for receiving a type ISO-3954-1982B handpiece.
 9. The power supply system of claim 5, wherein the foot controller is a variable voltage type.
 10. A portable power supply system for hand-held tools comprising:
 - a foot controller having a connector for detachably receiving an electrical power source;
 - a cable including a first end and a second end, said first end having a first connector for attachment to the foot controller, said second end having a second connector; and
 - a sterilizable motor assembly having a distal end for receiving a laboratory tool and a proximal end for attachment to said second connector on said second end of the cable.
 11. The power supply system of claim 10, wherein the foot controller is a variable voltage type.
 12. The power supply system of claim 10, wherein said electrical power source is an AC/DC adaptor for plugging into an electrical outlet.
 13. The power supply system of claim 10, wherein said electrical power source is a rechargeable battery unit.
 14. The power supply system of claim 10, wherein said distal end of the motor assembly has a chuck and collet for receiving said tool.
 15. A portable power supply system for handpieces comprising:
 - a variable power controller;
 - a power transmitter coupled to the variable power controller; and
 - a sterilizable motor assembly coupled to said power transmitter and receiving said handpiece.

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16. A portable power supply system for handpieces or hand-held laboratory tools comprising:
a variable voltage foot controller having a first connector for attachment to a battery unit or an AC/DC electrical adaptor;
a cable detachably connected on a first end to a second connector on the variable voltage foot controller; and
a sealed and sterilizable motor assembly having a distal end for receiving a handpiece or a hand-held laboratory tool and a proximal end for detachable connection to a second end of the cable.
17. A portable power supply system for hand-held tools comprising:
a foot controller having a connector for detachably receiving an electrical power source;
a cable including a first end and a second end, said first end having a first connector for attachment to the foot

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controller, said second end having a second connector; and
a motor assembly having a distal end having a chuck and collet for receiving a laboratory tool and a proximal end for attachment to said second connector on said second end of the cable.
18. The power supply system of claim 17, wherein said electrical power source is an AC/DC adaptor for plugging into an electrical outlet.
19. The power supply system of claim 17, wherein said electrical power source is a rechargeable battery unit.
20. The power supply system of claim 17, wherein the motor assembly is sealed and sterilizable.

* * * * *

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SUNSTONE DENTAL, LLC, a California Limited
Liability Company

CASE NUMBER

PLAINTIFF(S)

CV09-02147 ODW (EX)

v.

KAVO DENTAL GMBH, a business form unknown;
KAVO DENTAL CORPORATION, an Illinois
Corporation

SUMMONS

DEFENDANT(S).

TO: DEFENDANT(S): KAVO DENTAL GMBH, a business form unknown; KAVO DENTAL CORPORATION,
an Illinois Corporation

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint _____ amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, SMITH, CHAPMAN & CAMPBELL, whose address is 1800 North Broadway, Suite 200, Santa Ana, CA 92706. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

By: _____

Deputy Clerk

MAR 27 2009

Dated: _____

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

I (a) PLAINTIFFS (Check box if you are representing yourself)
 SUNSTONE DENTAL, LLC, a California Limited Liability Company

DEFENDANTS
 KAVO DENTAL GMBH, a business form unknown; KAVO DENTAL CORPORATION, an Illinois Corporation

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)
 William D. Chapman
 SMITH, CHAPMAN & CAMPBELL
 1800 North Broadway, Suite 200
 Santa Ana, CA 92706
 Telephone: 714.550.7720
 Facsimile: 714.550.1251

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)

1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)

2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. ORIGIN (Place an X in one box only.)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify): 6 Multi-District Litigation 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT:** \$ according to proof

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 Complaint for Patent Infringement

VII. NATURE OF SUIT (Place an X in one box only.)

<p>OTHER STATUTES</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 410 Antitrust</p> <p><input type="checkbox"/> 430 Banks and Banking</p> <p><input type="checkbox"/> 450 Commerce/ICC Rates/etc.</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Sat TV</p> <p><input type="checkbox"/> 810 Selective Service</p> <p><input type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 875 Customer Challenge 12 USC 3410</p> <p><input type="checkbox"/> 890 Other Statutory Actions</p> <p><input type="checkbox"/> 891 Agricultural Act</p> <p><input type="checkbox"/> 892 Economic Stabilization Act</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 894 Energy Allocation Act</p> <p><input type="checkbox"/> 895 Freedom of Info. Act</p> <p><input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p>	<p>CONTRACT</p> <p><input type="checkbox"/> 110 Insurance</p> <p><input type="checkbox"/> 120 Marine</p> <p><input type="checkbox"/> 130 Miller Act</p> <p><input type="checkbox"/> 140 Negotiable Instrument</p> <p><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)</p> <p><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits</p> <p><input type="checkbox"/> 160 Stockholders' Suits</p> <p><input type="checkbox"/> 190 Other Contract</p> <p><input type="checkbox"/> 195 Contract Product Liability</p> <p><input type="checkbox"/> 196 Franchise</p> <p>REAL PROPERTY</p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent Lease & Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p>	<p>TORTS</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel & Slander</p> <p><input type="checkbox"/> 330 Fed. Employers' Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 362 Personal Injury-Med Malpractice</p> <p><input type="checkbox"/> 365 Personal Injury-Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability</p> <p>IMMIGRATION</p> <p><input type="checkbox"/> 462 Naturalization Application</p> <p><input type="checkbox"/> 463 Habeas Corpus-Alien Detainee</p> <p><input type="checkbox"/> 465 Other Immigration Actions</p>	<p>TORTS</p> <p>PERSONAL PROPERTY</p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p> <p>BANKRUPTCY</p> <p><input type="checkbox"/> 422 Appeal 28 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p>CIVIL RIGHTS</p> <p><input type="checkbox"/> 441 Voting</p> <p><input type="checkbox"/> 442 Employment</p> <p><input type="checkbox"/> 443 Housing/Accommodations</p> <p><input type="checkbox"/> 444 Welfare</p> <p><input type="checkbox"/> 445 American with Disabilities - Employment</p> <p><input type="checkbox"/> 446 American with Disabilities - Other</p> <p><input type="checkbox"/> 440 Other Civil Rights</p>	<p>PRISONER PETITIONS</p> <p><input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus</p> <p><input type="checkbox"/> 530 General</p> <p><input type="checkbox"/> 535 Death Penalty</p> <p><input type="checkbox"/> 540 Mandamus/Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Condition</p> <p>FORFEITURE/PENALTY</p> <p><input type="checkbox"/> 610 Agriculture</p> <p><input type="checkbox"/> 620 Other Food & Drug</p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 630 Liquor Laws</p> <p><input type="checkbox"/> 640 R.R. & Truck</p> <p><input type="checkbox"/> 650 Airline Regs</p> <p><input type="checkbox"/> 660 Occupational Safety/Health</p> <p><input type="checkbox"/> 690 Other</p>	<p>LABOR</p> <p><input type="checkbox"/> 710 Fair Labor Standards Act</p> <p><input type="checkbox"/> 720 Labor/Mgmt. Relations</p> <p><input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act</p> <p><input type="checkbox"/> 740 Railway Labor Act</p> <p><input type="checkbox"/> 790 Other Labor Litigation</p> <p><input type="checkbox"/> 791 Empl. Ret. Inc. Security Act</p> <p>PROPERTY RIGHTS</p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input checked="" type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 840 Trademark</p> <p>SOCIAL SECURITY</p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p>FEDERAL TAX SUITS</p> <p><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS - Third Party 26 USC 7609</p>
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FOR OFFICE USE ONLY: Case Number: _____
 AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT CALIFORNIA
CIVIL COVER SHEET**

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? No Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? No Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

- A. Arise from the same or closely related transactions, happenings, or events; or
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Riverside County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Illinois, Germany

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date March 26, 2009
 WILLIAM D. CHAPMAN

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Otis D. Wright II and the assigned discovery Magistrate Judge is Charles Eick.

The case number on all documents filed with the Court should read as follows:

CV09 - 2147 ODW (Ex)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

===== :
NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.