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The Honorable _____

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

CHEF’N CORPORATION, a Washington)	
corporation,)	Civil Action No.
)	
Plaintiff,)	COMPLAINT FOR PATENT
)	INFRINGEMENT
v.)	
)	
TRUDEAU CORPORATION, a Canadian)	
corporation,)	
)	
Defendant.)	
)	

Plaintiff, Chef’n Corporation, for its complaint herein, alleges as follows:

NATURE OF ACTION

1. This action is based on the Patent Laws of the United States, 35 U.S.C. § 100 *et seq.*

THE PARTIES

2. Chef’n Corporation (“Chef’n”) is a Washington corporation with a place of business at 1520 Fourth Avenue, Third Floor, Seattle, Washington 98101.

1 is the assignee and sole owner of the '503 patent, a copy of which is attached hereto as Exhibit
2 A. The '503 patent is valid, enforceable, and subsisting.

3 10. Upon information and belief, Defendant has been, and is, infringing one or more
4 claims of the '503 patent by its manufacture and/or sale of certain vegetable steamers in the
5 United States and in this judicial district. A document showing a comparison between the
6 claimed design of the '503 patent and Trudeau's vegetable steamer ("Trudeau Steamer") is
7 attached hereto as Exhibit B.

8 11. Defendant is infringing one or more claims of the '503 patent in violation of 35
9 U.S.C. §§ 271(a), (b), (c) and/or (f), literally or under the doctrine of equivalents, by
10 performing one or more of the following actions: (a) making, using, importing into the United
11 States, offering to sell, or selling the Trudeau Steamer in this district and elsewhere in the
12 United States, (b) importing the Trudeau Steamer into the United States, (c) inducing the
13 infringement of one or more claims of the '503 patent, and/or (d) contributing to infringement
14 of one or more claims of the '503 patent.

15 12. Upon information and belief, Defendant had actual and constructive notice of
16 Chef'n's rights respecting the '503 patent, before the sale of the Trudeau Steamer.

17 13. In or around April 2008, prior to Trudeau's first sale of the Trudeau Steamer in
18 this district, Chef'n became aware of Trudeau's plans to begin offering the Trudeau Steamer
19 for sale in this district and other places in the United States.

20 14. On April 17, 2008, Chef'n sent a cease-and-desist letter to Trudeau demanding
21 that it stop selling the infringing Trudeau Steamer. A copy of the April 17, 2008 demand letter
22 is attached as Exhibit C. Trudeau refused to cease offering and selling the Trudeau Steamer.

23 15. Chef'n sent another demand letter on May 1, 2008 giving a detailed analysis of
24 why the Trudeau Steamer's design infringes the '503 patent and stating that further
25 infringement by Trudeau could be deemed willful, intentional and knowing infringement. A
26 copy of the April 17, 2008 demand letter is attached as Exhibit D.

1 patent and parts thereof and all machinery, tooling, and dies and any other equipment used in
2 the manufacture, finishing or refinement of any of the above items or products and all
3 documents or information used to produce the infringing products.

4 4. That Defendant be required to prepare and deliver to the Court a complete list of
5 entities from whom Defendant purchased, and to whom it distributed or sold, products that
6 infringe the '503 patent, and to serve a copy of such list on Chef'n's attorneys.

7 5. That Defendant be required to deliver to the Court any and all documents
8 reflecting or relating to the purchase or sale of any products which infringe the '503 patent.

9 6. That Defendant, within thirty (30) days after service of judgment, with notice of
10 entry thereof upon it, be required to file with the Court and serve upon Chef'n's counsel a
11 written report under oath setting forth in detail the manner in which Defendant has complied
12 with the injunction.

13 7. That Defendant account for and pay over to Chef'n damages sustained by
14 Chef'n by reason of Defendant's unlawful acts of patent infringement herein alleged, together
15 with pre-judgment and post-judgment interest, and that the amount of recovery be increased
16 under 35 U.S.C. § 284 or as otherwise provided by law.

17 8. That Defendant account for and pay over to Chef'n the profits sustained by
18 Defendant by reason of its unlawful acts of patent infringement herein alleged as provided by
19 35 U.S.C. § 289 or as otherwise provided by law.

20 9. That Defendant's infringement of Chef'n's patent be found willful and that treble
21 damages, together with interest and costs, be awarded under 35 U.S.C. § 284 or as otherwise
22 provided by law.

23 10. That the present case be found exceptional and that attorney fees be awarded to
24 Chef'n under 35 U.S.C. § 285 or as otherwise permitted by law.

25 11. That Chef'n have such other and further relief as the Court may deem equitable.
26

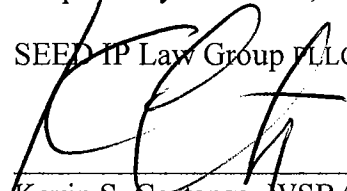
DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury as to all issues so triable.

DATED this 29th day of July, 2008.

Respectfully submitted,

SEED IP Law Group PLLC



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Attorneys for Plaintiffs
CHEF'N CORPORATION

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