

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PHILIPS SOLID-STATE LIGHTING
SOLUTIONS, INC. and KONINKLIJKE
PHILIPS ELECTRONICS N.V.,

Plaintiffs

v.

LIGHTING SCIENCE GROUP
CORPORATION, LED HOLDINGS, LLC,
and LED EFFECTS, INC.

Defendants.

Civil Action No.:

COMPLAINT AND JURY DEMAND

1. Plaintiff Philips Solid-State Lighting Solutions, Inc. (“Philips Solid-State”) is a Delaware corporation having a principal place of business at 3 Burlington Woods Drive, Burlington, Massachusetts.

2. Plaintiff Koninklijke Philips Electronics N.V. (“Philips N.V.”) is a Netherlands public limited liability company with its principal place of business in Amsterdam, The Netherlands.

3. On information and belief, Defendant Lighting Science Group Corporation (“LSGC”) is a Delaware corporation with a place of business at 2100 McKinney Avenue, Suite 1555, Dallas, Texas.

4. On information and belief, LED Holdings, LLC (“LED Holdings”) is a Delaware limited liability corporation with a place of business at 11390 Sunrise Gold Circle, #800, Rancho Cordova, California.

5. On information and belief, LED Effects, Inc. (“LED Effects”) is a Nevada corporation with a place of business at 11390 Sunrise Gold Circle, #800, Rancho Cordova, California.

6. 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).

Background

7. LSGC, LED Holdings, and/or LED Effects (collectively, “Defendants”) have infringed, and are continuing to infringe, U.S. Patents owned by Philips Solid-State and Philips N.V. by making, using, importing, selling, and/or offering to sell LED lighting fixtures and/or related products within the United States, and/or by contributing to or inducing infringement by others.

Count I **(Patent Infringement)**

8. Plaintiffs repeat and reallege the foregoing paragraphs.

9. Philips Solid-State is the owner of United States Patent No. 6,967,448 (the “’448 patent”), titled “Method and Apparatus for Controlling Illumination” and issued on November 22, 2005, and has the right to sue on the ’448 patent. A copy of the ’448 patent is attached as Exhibit A.

10. Defendants have infringed, and are continuing to infringe, the ’448 patent by making, importing, selling, offering to sell, and/or using within the United States LED lighting fixtures and/or related products covered by one or more of the claims of the ’448 patent.

11. Defendants have induced and contributed to infringement by others of the ’448 patent by causing or aiding others to make, use, import, sell, and/or offer to sell LED lighting

fixtures and/or related products covered by the '448 patent within the United States.

12. Defendants' infringement of the '448 patent is and has been willful, has caused and will continue to cause Philips Solid-State to suffer substantial damages, and has caused and will continue to cause Philips Solid-State to suffer irreparable harm for which there is no adequate remedy at law.

Count II
(Patent Infringement)

13. Plaintiffs repeat and reallege the foregoing paragraphs.

14. Philips N.V. is the owner of United States Patent No. 6,250,774 (the "'774 patent"), titled "Luminare," issued on June 26, 2001, and has the right to sue on the '774 patent. A copy of the '774 patent is attached as Exhibit B.

15. Defendants have infringed, and are continuing to infringe, the '774 patent by making, importing, selling, offering to sell, and/or using within the United States LED lighting fixtures and/or related products covered by one or more of the claims of the '774 patent.

16. Defendants have induced and contributed to infringement by others of the '774 patent by causing or aiding others to make, use, import, sell, and/or offer to sell LED lighting fixtures and/or related products covered by the '774 patent within the United States.

17. Defendants' infringement of the '774 patent is and has been willful, has caused and will continue to cause Philips N.V. to suffer substantial damages, and has caused and will continue to cause Philips N.V. to suffer irreparable harm for which there is no adequate remedy at law.

WHEREFORE, Plaintiffs request that this Court:

1. enter preliminary and permanent injunctions enjoining Lighting Science Group Corporation, LED Holdings, LLC, LED Effects, Inc. and their 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 '448 and '774 patents;
2. award Philips Solid-State and Philips N.V. compensatory damages, costs, and interest for patent infringement;
3. award Philips Solid-State and Philips N.V. treble damages for the willful infringement of the '448 and '774 patents;
4. award Philips Solid-State and Philips N.V. their reasonable attorneys' fees under 35 U.S.C. § 285; and
5. award Philips Solid-State and Philips N.V. such other relief as the Court deems just and proper.

JURY DEMAND

Plaintiffs demand a trial by jury on all issues so triable.

Respectfully submitted,

PHILIPS SOLID-STATE LIGHTING
SOLUTIONS, INC. and KONINKLIJKE PHILIPS
ELECTRONICS N.V.

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