

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

STEVEN J. OROSZ, JR. and
FLORENCE L. SCHROEDER

Plaintiffs,

vs.

CHARLES AMASH IMPORTS, INC.,
d/b/a GRAND RAPIDS INDUSTRIAL
PRODUCTS

Defendant.

) Case No.:

) Judge:

) **COMPLAINT FOR PATENT**
) **INFRINGEMENT AND DEMAND**
) **FOR JURY TRIAL**

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Plaintiffs Steven J. Orosz, Jr. ("Orosz") and Florence L. Schroeder ("Schroeder")
bring this action against defendant Charles Amash Imports, Inc., d/b/a Grand Rapids
Industrial Products ("GRIP"), and allege as follows:

THE PARTIES

1. Orosz is an individual residing in the city of Oregon in Lucas County, Ohio. Orosz is the inventor of and owns an interest in the patent at issue in this case.

2. Schroeder is an individual residing in the city of Sylvania in Lucas County, Ohio, and owns an interest in the patent at issue in this case.

3. GRIP is a corporation organized and existing under the laws of the State of Michigan, having a principal place of business at 4628 Amash Industrial Drive, Wayland, Michigan 49348, and is doing business in this judicial district and elsewhere in the United States. GRIP may be served with process by serving its registered agent, Charles Amash, at 4628 Amash Industrial Drive, Wayland, Michigan 49348.

JURISDICTION

4. This is an action for patent infringement arising under the provisions of the Patent Laws of the United States of America, Title 35, United States Code.

5. Subject-matter jurisdiction over Orosz and Schroeder's claims is conferred upon this Court by 28 U.S.C. §§ 1331 and 1338(a).

6. On information and belief, GRIP has directly or indirectly solicited business in the State of Ohio, transacted business within the State of Ohio and attempted to derive financial benefit from residents of the State of Ohio, including benefits directly related to the instant patent infringement cause of action set forth herein.

7. On information and belief, GRIP has placed infringing laser level devices into the stream of commerce throughout the United States, which laser level devices have been offered for sale, sold and/or used in the State of Ohio and in the Northern District of Ohio.

8. GRIP has, directly or through its subsidiaries, divisions, groups or retailers, committed acts of infringement in this judicial district, is subject to personal jurisdiction in this judicial district, and/or is doing business in this judicial district.

9. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(c) and 1400(b) and Rule 3.8 of the Local Civil Rules for the Northern District of Ohio.

PATENT INFRINGEMENT

10. On November 17, 1998, U.S. Patent No. 5,836,081 ("the '081 patent"), entitled "Light Beam Leveling Means and Method", a copy of which is attached hereto as Exhibit A, was duly and legally issued to inventor Orosz. Orosz owns two-thirds (2/3) of the '081 patent, and Schroeder owns the other one-third (1/3) of the '081 patent.

11. The '081 patent is presumed valid.

12. Upon information and belief, GRIP has in the past and continues to infringe, contribute to infringement, and/or induce infringement of the '081 patent by making, using, selling and/or offering to sell, directly or through others, in this judicial district and elsewhere in the United States, one or more laser level products that are covered by claim 1 of the '081 patent.

13. GRIP is liable for infringement of the '081 patent pursuant to 35 U.S.C. § 271.

14. GRIP's acts of infringement have caused damage to Orosz and Schroeder, and Orosz and Schroeder are entitled to recover from GRIP the damages sustained as a result of its wrongful acts in an amount subject to proof at trial.

15. As a consequence of the infringement complained of herein, Orosz and Schroeder have been irreparably damaged to an extent not yet determined and will

continue to be irreparably damaged by such acts in the future unless GRIP is enjoined by this Court from committing further acts of infringement.

PRAYER FOR RELIEF

WHEREFORE, Orosz and Schroeder pray for entry of judgment that:

- A.** GRIP has infringed, contributed to infringement of and/or induced infringement of claim 1 of the '081 patent;
- B.** GRIP account for and pay to Orosz and Schroeder all their damages caused by the infringement of the '081 patent;
- C.** Orosz and Schroeder be granted permanent injunctive relief pursuant to 35 U.S.C. § 283 enjoining GRIP, and its officers, agents, servants, employees and those persons in active concert or participation with them from further acts of patent infringement;
- D.** Orosz and Schroeder be granted pre-judgment and post-judgment interest on the damages caused to them by reason of GRIP's patent infringement;
- E.** Costs be awarded to Orosz and Schroeder; and,
- F.** Orosz and Schroeder be granted such other and further relief as the Court may deem just and proper under the circumstances.

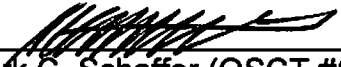
DEMAND FOR JURY TRIAL

Orosz and Schroeder demand trial by jury on all claims and issues so triable.

Respectfully submitted,

EMCH, SCHAFFER, SCHAUB
& PORCELLO CO.

Dated: January 11, 2009



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