

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STREAMLIGHT, INC.,

Plaintiff,

v.

UNIFORM 4 ALL, INC. d/b/a/
UNIFORM & ACCESSORIES WAREHOUSE
Defendant.

CIVIL ACTION NO.

**COMPLAINT AND JURY
DEMAND**

Plaintiff, STREAMLIGHT, INC., (hereafter "Streamlight") demands a trial by jury and alleges as follows:

Parties

1. Streamlight is a Delaware corporation having its principal place of business at 30 Eagleville Road, Eagleville, Montgomery County, Pennsylvania 19403.

2. On information and belief, defendant UNIFORM 4 ALL, INC. (hereafter "Uniform 4 All") is a California corporation having its principal place of business at 18317 Napa Street, Northridge, CA 91325. Uniform 4 All does business in Pennsylvania and is subject to the jurisdiction of this Court.

3. Streamlight is the assignee of the entire right, title and interest in United States Letters Patent No. RE 37,092 ("the '092 patent") which was re-issued on March 13, 2001. A copy of the '092 patent is attached hereto as Exhibit A.

4. Streamlight is the assignee of the entire right, title and interest in United States Design Patent D351,675, (the '675 patent") titled "Combined Flashlight and Recharger Therefore", which was issued on October 18, 1994. A copy of the '675 patent is attached hereto as Exhibit B.

5. Streamlight is the assignee of the entire right, title and interest in United States Design Patent No. D353,216 ("the '216 patent") titled "Flashlight", which was issued on March December 6, 1994. A copy of the '216 patent is attached hereto as Exhibit C.

Jurisdiction and Venue

6. This is a complaint for infringement of a United States patent under 35 U.S.C. §§ 271 and 281.

7. Jurisdiction arises under 28 U.S.C. §§ 1331 and 1338.

8. Venue in this district is proper under 28 U.S.C. §§ 1391(b) and (c).

COUNT I

PATENT INFRINGEMENT

9. This cause of action for patent infringement arises out of 35 U.S.C. § 271.

10. The '092 patent grants Streamlight the right to prevent others from making, having made, using, importing, advertising, selling and offering for sale in the United States particular flashlights which are covered by a claim or claims of the '092 patent.

11. On information and belief, Uniform 4 All has infringed the '092 patent by making or having made, using, selling and offering for sale products which are covered by one or more

claims of the '092 patent, including, without limitation, flashlights bearing the product number FLD 21 and FLD 22.

12. Uniform 4 All's infringement of the '092 patent has been with actual or constructive notice of the '092 patent.

COUNT II

PATENT INFRINGEMENT

13. This cause of action for patent infringement arises out of 35 U.S.C. § 271.

14. The '675 patent grants Streamlight the right to prevent others from making, having made, using, importing, advertising, selling and offering for sale in the United States particular flashlights which are covered by the design claimed in the '675 patent.

15. On information and belief, Uniform 4 All has infringed the '675 patent by making or having made, using, selling and offering for sale products which are covered by the '675 patent, including, without limitation, flashlights and chargers bearing the product number FLD 22.

16. Uniform 4 All's infringement of the '675 patent has been with actual or constructive notice of the '675 patent.

COUNT III

PATENT INFRINGEMENT

17. This cause of action for patent infringement arises out of 35 U.S.C. § 271.

18. The '216 patent grants Streamlight the right to prevent others from making, having made, using, importing, advertising, selling and offering for sale in the United States particular flashlights which are covered by the design claimed in the '216 patent.

19. On information and belief, Uniform 4 All has infringed the '216 patent by making or having made, using, selling and offering for sale products which are covered the '216 patent, including, without limitation, flashlights bearing the product number FLD 22.

20. Uniform 4 All's infringement of the '216 patent has been with actual or constructive notice of the '216 patent.

PRAYERS FOR RELIEF

WHEREFORE, Streamlight demands judgment against Uniform 4 All, and demands relief as follows:

A. That this Court preliminarily and permanently enjoin Uniform 4 All, and those officers, directors, agents, employees and any person or entity in active concert or participation with any of them from infringing the '092 patent, the '675 patent and the '216 patent;

B. That Uniform 4 All be ordered to deliver up for destruction all infringing flashlights and chargers in their possession or under their control;

C. That this Court award Streamlight money damages under 35 U.S.C. §284 sufficient to compensate Streamlight for the financial damage caused by Uniform 4 All's infringement, and/or the additional remedy for infringement of a design patent under 35 U.S.C. §289, including enhanced damages if the infringement is found to be willful, and its reasonable attorney fees under 35 U.S.C. §285 if this case is deemed to be exceptional; and

D. That this Court award to Streamlight such other and further relief as is authorized by statute or is deemed appropriate by this Court.

Respectfully submitted,

STREAMLIGHT INC.

Dated: 25 September, 2007

BY: s/ _____
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