

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TK HOLDINGS INC.,)	
)	
Plaintiff,)	Civil Action No.
)	
v.)	DEMAND FOR JURY TRIAL
)	
IEE SENSING, INC. and IEE S.A.,)	
)	
Defendants.)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff TK Holdings Inc. (“TKH”), for its Complaint for Patent Infringement against Defendants IEE Sensing, Inc. and IEE S.A. (“collectively Defendants IEE”), states as follows:

JURISDICTION AND VENUE

1. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. The Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).
2. This Court has personal jurisdiction over Defendant IEE Sensing, Inc. as IEE Sensing, Inc. is incorporated in the State of Delaware.
3. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c), and 1400(b).

PARTIES

4. Plaintiff TK Holdings Inc. is a corporation organized and existing under the laws of the State of Delaware, with its headquarters and principal places of business located in Greensboro, NC and Auburn Hills, MI.

5. Defendant IEE Sensing, Inc. is a corporation organized and existing under the laws of the State of Delaware, with its headquarters and principal place of business located at 1121 Centre Road, Auburn Hills, MI 48326.

6. Defendant IEE S.A., also sometimes known as “International Electronics & Engineering, S.A.,” is a foreign corporation that is incorporated and existing in the Grand Duchy of Luxembourg, with its headquarters and principal place of business located ZAE Weiergewan, 11, rue Edmond Reuter, L-5326 Contern, Luxembourg.

COUNT 1 – INFRINGEMENT OF U.S. PATENT NO. 6,577,023

7. Plaintiff TKH repeats and realleges the allegations of paragraphs 1 through 6 as if set forth herein.

8. U.S. Patent No. 6,577,023 (“the ‘023 Patent”), entitled “Occupant Detection System,” was duly and legally issued on June 10, 2003, by the United States Patent and Trademark Office. TKH is the assignee of the entire right, title and interest in the ‘023 Patent. A true and correct copy of the ‘023 Patent is attached hereto as Exhibit A.

9. Upon information and belief, Defendants IEE have infringed and continue to infringe one or more claims of the ‘023 Patent, directly, contributorily, and/or by inducement, by making, using, selling and/or offering to sell in this country, without a license, an infringing occupant detection system, in violation of 35 U.S.C. § 271.

10. Further discovery may reveal that Defendants IEE’s infringement of the ‘023 Patent has been and continues to be willful and carried out with full knowledge of the ‘023 Patent.

11. TKH has been and will continue to be damaged by Defendants IEE's infringement of the '023 Patent and will be irreparably harmed unless that infringement is enjoined.

COUNT 2 – INFRINGEMENT OF U.S. PATENT NO. 6,825,765

12. Plaintiff TKH repeats and realleges the allegations of paragraphs 1 through 11 as if set forth herein.

13. U.S. Patent No. 6,825,765 ("the '765 Patent"), entitled "Occupant Detection System," was duly and legally issued on November 30, 2004, by the United States Patent and Trademark Office. TKH is the assignee of the entire right, title and interest in the '765 Patent. A true and correct copy of the '765 Patent is attached hereto as Exhibit B.

14. Upon information and belief, Defendants IEE have infringed and continue to infringe one or more claims of the '765 Patent, directly, contributorily, and/or by inducement, by making, using, selling and/or offering to sell in this country, without a license, an occupant detection system, in violation of 35 U.S.C. § 271.

15. Further discovery may reveal that Defendants IEE's infringement of the '765 Patent has been and continues to be willful and carried out with full knowledge of the '765 Patent.

16. TKH has been and will continue to be damaged by Defendants IEE's infringement of the '765 Patent and will be irreparably harmed unless that infringement is enjoined.

COUNT 3 – INFRINGEMENT OF U.S. PATENT NO. 7,098,674

17. Plaintiff TKH repeats and realleges the allegations of paragraphs 1 through 16 as if set forth herein.

18. U.S. Patent No. 7,098,674 (“the ‘674 Patent”), entitled “Occupant Detection System,” was duly and legally issued on August 29, 2006, by the United States Patent and Trademark Office. TKH is the assignee of the entire right, title and interest in the ‘674 Patent. A true and correct copy of the ‘674 Patent is attached hereto as Exhibit C.

19. Upon information and belief, Defendants IEE have infringed and continue to infringe one or more claims of the ‘674 Patent, directly, contributorily, and/or by inducement, by making, using, selling and/or offering to sell in this country, without a license, an occupant detection system, in violation of 35 U.S.C. § 271.

20. Further discovery may reveal that Defendants IEE’s infringement of the ‘674 Patent has been and continues to be willful and carried out with full knowledge of the ‘674 Patent.

21. TKH has been and will continue to be damaged by Defendants IEE’s infringement of the ‘674 Patent and will be irreparably harmed unless that infringement is enjoined.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff TKH respectfully requests the following relief:

a. A judgment that each of Defendants IEE has infringed the ‘023 Patent, the ‘765 Patent, and the ‘674 Patent;

b. A permanent injunction, issued pursuant to 35 U.S.C. § 283, restraining and enjoining each of Defendants IEE and their respective officers, agents, attorneys and employees, and those acting in privity or concert with them, from infringing the '023 Patent, the '765 Patent, and the '674 Patent for the full terms thereof;

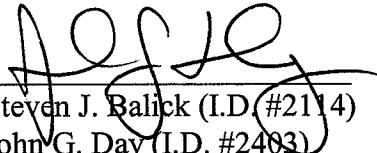
c. An award of damages to Plaintiff TKH, including pre-judgment and post-judgment interest, in an amount adequate to compensate for each of Defendants IEE's infringement of the '023 Patent, the '765 Patent, and the '674 Patent, and if willful infringement is shown, treble damages pursuant to 35 U.S.C. § 284;

d. Costs and expenses in this action;

e. A declaration that this is an exceptional case and an award of attorneys' fees, disbursements, and costs of this action pursuant to 35 U.S.C. § 285; and

f. Such other and further relief as the Court may deem just and proper.

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