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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

<p>LUTRON ELECTRONICS CO., INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>CONTROL4 CORPORATION,</p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;">AMENDED COMPLAINT (Jury Demanded)</p> <p>Case No. 2:06-CV-00401 DAK</p> <p>Judge: Dale A. Kimball</p>
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Plaintiff Lutron Electronics Co., Inc. (“Lutron”), by and through its undersigned counsel,
hereby alleges as follows:

NATURE OF THE ACTION

1. This is an action for willful infringement of United States Patent No. 5,982,103,
United States Patent No. 5,905,442 and United States Patent No. 5,736,965.

PARTIES

2. Control4 Corporation (“Control4”) is a Delaware Corporation with its principal place of business in Salt Lake County, State of Utah.

3. Lutron is a corporation organized and existing under the laws of the Commonwealth of Pennsylvania with its principal place of business in Coopersburg, Pennsylvania.

JURISDICTION AND VENUE

4. Lutron’s claims for patent infringement arise under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*

5. This Court has original subject matter jurisdiction over Lutron’s claims for relief, pursuant to the laws of the United States, 28 U.S.C. §§ 1331 and 1338(a).

6. Venue is properly found in this District pursuant to 28 U.S.C. §§ 1391(b) and (c) and 1400(b) because Control4 is a resident of this judicial district, is doing business in this judicial district, and has committed acts of infringement in this judicial district.

BACKGROUND

7. Lutron was founded in 1961 and is in the business of manufacturing and supplying lighting controls for a variety of commercial and residential applications. For example, Lutron’s initial product was the world’s first solid-state “dimmer switch” used to control lighting in the home. Lutron remains a pioneer in the field of dimming and lighting control.

8. Lutron’s innovations in lighting control are protected by a portfolio of patents.

9. On January 26, 1998, Lutron applied for, and on November 9, 1999 received, United States Patent No. 5,982,103 (the “103 patent,” attached hereto as Exhibit “A”), entitled “Compact Radio Frequency Transmitting and Receiving Antenna and Control Device Employing

Same.” The ‘103 patent was duly and legally issued to Lutron as the assignee of the inventors’ entire right, title, and interest in the ‘103 patent.

10. On February 7, 1996, Lutron applied for, and on April 7, 1998 received, United States Patent No. 5,736,965 (the “‘965 patent,” attached hereto as Exhibit B) entitled “Compact Radio Frequency Transmitting and Receiving Antenna and Control Device Employing Same.” The ‘965 patent was duly and legally issued to Lutron as the Assignee of the Inventors’ entire right, title, and interest in the ‘965 patent.

11. On February 7, 1996, Lutron applied for, and on May 18, 1999 received, United States Patent No. 5,905,442 (the “‘442” patent,” attached hereto as Exhibit “C”), entitled “Method and Apparatus for Controlling and Determining the Status of Electrical Devices from Remote Locations.” The ‘442 patent was duly and legally issued to Lutron as the assignee of the inventors’ entire right, title, and interest in the ‘442 patent.

12. At all relevant times Lutron has been and is now the sole and exclusive assignee and owner of all right, title, and interest to the ‘103, ‘442 and ‘965 patents.

13. Lutron has not granted Control4 any license or permission to use or exploit in any way the ‘103, ‘442 or ‘965 patents.

14. Control4 has had actual or constructive notice of the ‘103, ‘442 and 965 patents.

FIRST CLAIM FOR RELIEF
(Infringement of the ‘103 Patent)

15. Lutron hereby incorporates by reference the foregoing paragraphs 1-14, as though fully set forth herein.

16. Control4 has infringed and/or contributed to the infringement of the ‘103 patent by making, selling and/or offering for sale within the United States, products that fall within the

scope of one or more of the claims of the '103 patent including, by way of example only, at least its wireless dimmers (e.g., model no. LDZ-101).

17. Control4 has actively induced and is still actively inducing infringement of the '103 patent by actively inducing others to use, offer for sale, or sell one or more of the patented devices of the '103 patent.

18. The misconduct of Control4 as set forth hereinabove gives rise to a cause of action for infringement of the '103 patent, pursuant to 35 U.S.C. §§ 271 and 281.

19. On information and belief, Control4 has infringed and is infringing the '103 patent in willful, reckless, and deliberate disregard of Lutron's patent rights.

20. Lutron has been damaged by Control4's infringement and has suffered and will continue to suffer irreparable injury for which there is no adequate remedy at law.

21. Unless and until enjoined by this Court, Control4 will continue to infringe and/or induce others to infringe the '103 patent.

22. By reason of the foregoing, Lutron is entitled to injunctive and monetary relief against Control4, pursuant to 35 U.S.C. §§ 283-85, as more fully set forth below.

SECOND CLAIM FOR RELIEF
(Infringement of the '965 Patent)

23. Lutron hereby incorporates by reference the foregoing paragraphs 1-22, as though fully set forth herein.

24. Control4 has infringed and/or contributed to the infringement of the '965 patent by making, selling and/or offering for sale within the United States, products that fall within the scope of one or more of the claims of the '965 patent including, by way of example only, at least products including the antenna used in Control4 wireless dimmers

and key pads.

25. Control4 has actively induced and is still actively inducing infringement of the '965 patent by actively inducing others to sell, offer for sale, or sell one or more of the patented devices of the '965 patent.

26. The misconduct of Control4 as set forth hereinabove gives rise to a cause of action for infringement of the '965 patent, pursuant to 35 U.S.C. §§ 271 and 281.

27. On information and belief, Control4 has infringed and is infringing the '965 patent in willful, reckless, and deliberate disregard of Lutron's patent rights.

28. Lutron has been damaged by Control4's infringement and has suffered and will continue to suffer irreparable injury for which there is no adequate remedy at law.

29. Unless and until enjoined by this Court, Control4 will continue to infringe and/or induce others to infringe the '965 patent.

30. By reason of the foregoing, Lutron is entitled to injunctive and monetary relief against Control4, pursuant to 35 U.S.C. §§ 283-85, as more fully set forth below.

THIRD CLAIM FOR RELIEF
(Infringement of the '442 Patent)

31. Lutron hereby incorporates by reference the foregoing paragraphs 1-30, as though fully set forth herein.

32. Control4 has infringed and/or contributed to the infringement of the '442 Patent by making, selling and/or offering for sale within the United States, products that fall within the scope of one or more of the claims of the '442 patent including, by way of example only, at least its wireless dimmers, wireless keypads and home theater controllers (e.g., model nos. LDZ-101, KPZ-3B1, KP2-6B1 and AVM-HCI-B).

33. Control4 has actively induced and is still actively inducing infringement of the '442 patent by actively inducing others to use, offer for sale, or sell one or more of the patented devices of the '442 patent.

34. The misconduct of Control4 as set forth hereinabove gives rise to a cause of action for infringement of the '442 patent, pursuant to 35 U.S.C. §§ 271 and 281.

35. On information and belief, Control4 has infringed and is infringing the '442 patent in willful, reckless, and deliberate disregard of Lutron's patent rights.

36. Lutron has been damaged by Control4's infringement and has suffered and will continue to suffer irreparable injury for which there is no adequate remedy at law.

37. Unless and until enjoined by this Court, Control4 will continue to infringe and/or induce others to infringe the '442 patent.

38. By reason of the foregoing, Lutron is entitled to injunctive and monetary relief against Control4, pursuant to 35 U.S.C. §§ 283-85, as more fully set forth below.

JURY DEMAND

Plaintiff demands a trial by jury on all matters alleged herein in accordance with the Seventh Amendment to the U.S. Constitution and Rule 38(b) of the Federal Rules of Civil Procedure.

PRAYER FOR RELIEF

WHEREFORE, Lutron prays for judgment against Control4 as follows:

A. An order of this Court permanently enjoining Control4, its agents and servants, and any and all parties acting in concert with any of them from directly or indirectly infringing in any manner any of the '103, '442 and/or '965 patents, whether by making, using, selling, offering to sell, or importing into the United States any lighting control product or any other product falling

within the scope of any of the claims of the '103, '442 and/or '965 patents, or inducing others to engage in any of the aforementioned acts or otherwise, pursuant to at least 35 U.S.C. § 283;

B. An order of this Court directing Control4 to destroy its entire stock of infringing products in its possession within the United States;

C. An award of monetary damages to Lutron to compensate it for the infringement of the '103, '442 and '965 patents under 35 U.S.C. § 284, in an amount to be determined at trial;

D. An award of treble damages to Lutron, pursuant to 35 U.S.C. § 284;

E. Prejudgment interest, pursuant to 35 U.S.C. § 284;

F. An award of Lutron's costs in bringing its claims, pursuant to 35 U.S.C. § 284;

G. An award of Lutron's attorneys' fees and expenses, pursuant to at least 35 U.S.C. § 285;

H. Post-judgment interest, pursuant to at least 28 U.S.C. § 1961; and

I. For such other fees, costs, and further relief as the Court deems just, proper, and equitable.

Dated: September 12, 2006

Respectfully submitted,

By: /s/ Kevin W. Bates
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