

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN**

WARRIOR SPORTS, INC.,  
a Michigan corporation,

Case No.

Plaintiff,

Hon.

v.

STX, L.L.C.  
a Maryland limited liability company,

Defendant.

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**COMPLAINT FOR DECLARATORY JUDGMENT AND OTHER RELIEF**

Plaintiff Warrior Sports, Inc. states its Complaint for declaratory judgment and other relief against Defendant STX, L.L.C. as follows:

**THE PARTIES**

1. Plaintiff Warrior Sports, Inc. (“Warrior”) is a Michigan corporation. Warrior’s principal place of business is in Warren, Michigan.
2. Defendant STX, L.L.C. (“STX”) is a Maryland limited liability company. STX’s principal place of business is in Baltimore, Maryland.

**JURISDICTION AND VENUE**

3. This is an action for patent infringement under the Patent Act, 35 U.S.C. § 101 *et seq.*
4. The Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338(a), 2201 and 2202, as this action arises under the patent laws and is an action for a declaratory judgment.

5. Upon information and belief, STX makes, sells, and offers for sale lacrosse equipment throughout the United States and in this District.

6. Venue is proper under 28 U.S.C. §§ 1391.

**ALLEGATIONS AND CLAIM FOR RELIEF**

7. For many years, Warrior has continuously engaged in the development, manufacture and sale of a wide variety of athletic products. The athletic products at issue in this litigation are lacrosse stick heads.

8. Upon information and belief, STX is the owner of and the assignee of all rights, title, and interest in and to the United States Design Patent No. D496,083 (“the ‘083 Patent”), which issued September 14, 2004, for a design entitled “Lacrosse Head Sidewall Silhouette.” A copy of the ‘083 Patent is attached as Exhibit A.

9. STX has sued Reebok International Ltd. for patent infringement of the ‘083 Patent. *See STX, L.L.C. v. Reebok International Ltd.*, Case No. 1:08-CV-03287-CCB (D. Md. Dec. 5, 2008). A copy of that Complaint is attached as Exhibit B.

10. STX has also asserted that Warrior’s products infringe the ‘083 Patent, and have gone so far as to provide overlays and other commentary to Warrior describing the alleged infringement.

11. Contrary to STX’s assertions, Warrior’s products do not infringe any valid claim of the ‘083 Patent.

12. STX’s communications regarding the ‘083 Patent have created substantial uncertainty in that it has placed Warrior in the position of either manufacturing and selling

lacrosse heads that STX alleges infringe the '083 Patent, or abandoning the manufacture and sale of the lacrosse heads, even though Warrior does not believe they infringe.

13. As a result of STX's actions, an actual and justiciable controversy exists between STX and Warrior concerning whether Warrior infringes any valid claim of the '083 Patent.

**RELIEF REQUESTED**

**WHEREFORE**, Warrior respectfully requests that the Court enter judgment in its favor:

- A. Declaring that Warrior does not infringe any valid claim of the '083 Patent;
- B. Awarding Warrior its attorneys' fees and costs; and
- C. Awarding Warrior such other relief as the Court may deem appropriate and just under the circumstances.

Respectfully submitted,

Dated: January 29, 2009

/s/ Janet Ramsey  
Douglas A. Dozeman (P35781)  
Janet Ramsey (P63285)  
WARNER NORCROSS & JUDD LLP  
Attorneys for Plaintiff  
900 Fifth Third Center, 111 Lyon, N.W.  
Grand Rapids, MI 49503  
Telephone: (616) 752-2000  
Fax: (616) 752-2736  
[ddozeman@wnj.com](mailto:ddozeman@wnj.com)  
[jramsey@wnj.com](mailto:jramsey@wnj.com)

*Attorneys for Plaintiff Warrior Sports, Inc.*

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