

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA**

Case No.

LARS SOREIDE & JORDAN SOBLICK,

Plaintiff,

vs.

INNOVATIVE PLASTICS, INC., T-H MARINE  
SUPPLIES, INC.,

Defendants.

CIVIL ACTION

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**COMPLAINT FOR PATENT INFRINGEMENT**

COMES NOW, the Plaintiffs, LARS SOREIDE & JORDAN SOBLICK, file this Complaint for damages against the Defendants, INNOVATIVE PLASTICS, INC., and T-H MARINES SUPPLIES, INC, which are Alabama corporations (hereafter referred to as the “Defendants”), based upon actual knowledge as to itself and its own actions, and upon information and belief as to all other persons and events, as follows:

**I. Parties**

1. LARS SOREIDE (“SOREIDE”) is an individual that resides in Fort Lauderdale, FL.
2. JORDAN SOBLICK (“SOBLICK”) is an individual that resides in Delray Beach, FL.
3. INNOVATIVE PLASTICS, INC. (“INNOVATIVE PLASTICS”) is an Alabama corporation with its principal place of business in Madison, Alabama. It is a wholly owned subsidiary of T-H MARINE SUPPLIES, INC. It engages in the development, manufacture and

distribution of marine products. It may be served with process by service on its registered agent R.L. Coates at 215 Bailes Street, Huntsville, AL 35805.

4. T-H MARINE SUPPLIES, INC. (“T-H MARINE”) is an Alabama corporation with its principal place of business in Huntsville, Alabama. It engages in the development, manufacture and distribution of marine products. It may be served with process by service on its registered agent Jeffery W. Huntley at 200 Finney Drive, SW, Huntsville, AL 35824.

## **II. Jurisdiction and Venue**

5. This claim arises under the United States patent laws, 35 U.S.C. § 1, *et seq.* This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).
6. T-H MARINE and INNOVATIVE PLASTICS have regularly engaged in business in this State and District and purposefully availed themselves of the privilege of conducting business in this District, for example, by offering for sale, selling and distributing their double flusher motor kit in this District and Division. Accordingly, this Court has personal jurisdiction over the Defendants.
7. Venue is proper in this District and Division, under 28 U.S.C. §§ 1391 and 1400. The Defendants do business, have infringed and continue to infringe on the patent held by the Plaintiffs SOREIDE and SOBLICK.

## **III. FACTUAL BACKGROUND**

8. On December 19<sup>th</sup>, 2006, after a full and fair examination, the United States Patent and Trademark Office duly and legally issued United States Patent No. 7,150,665, entitled “Apparatus and method for simultaneously flushing multiple outboard boat motors”. A true and correct copy of the ‘665 Patent is attached as Exhibit A. Since its issuance, the ‘665 Patent has

been in full force and effect. SOREIDE and SOBLICK own all right, title and interest to the '665 Patent, including the right to sue for past, present, and future infringements.

9. Defendants market an identical product, that came into existence several years after the award of the '665 Patent, that is wholly covered by the Plaintiffs' '665 Patent. In fact, the Defendants are marketing their copy of the Plaintiffs' patented product in many of the same channels of distribution with the one material difference being the Defendants' identical reproduction of the Plaintiffs' patented product is slightly cheaper. Upon information and belief, Defendants deliberately copied Plaintiffs' patented product without permission of any kind and undercut them on price.
10. The Defendants are deliberately infringing on Plaintiffs' Patent.

**COUNT I – T-H MARINE and INNOVATIVE PLATICS INFRINGEMENT of U.S.  
PATENT NO 7,150,665.**

11. The Plaintiffs reallege and adopt paragraphs 1 through 10 as if fully set forth herein.
12. The Defendants have infringed and are continuing to infringe on the '665 Patent by engaging in acts including making, using, selling, or offering to sell within the United States, or importing into the United States, products that embody the patented invention described and claimed in the '665 Patent, including the product marketed, sold and distributed by the Defendants called the "Double Flusher".
13. The Defendants will continue to infringe on the '665 Patent unless enjoined by this Court. As a result of the Defendants infringing conduct, SOREIDE and SOBLICK have suffered, will continue to suffer, irreparable harm for which there is no adequate remedy at law. SOREIDE and SOBLICK are entitled to preliminary and permanent injunctive relief against such infringement, under 35 U.S.C. § 283.
14. As a result of the infringement of the '665 Patent, SOREIDE and SOBLICK have been damaged, will be further damaged, and are entitled to be compensated for such damages, pursuant to 35 U.S.C. § 284, in an amount to be determined at trial.

**WILLFUL INFRINGEMENT**

15. The Plaintiffs reallege and adopts paragraphs 1 through 10 as if fully set forth herein.
16. The Defendants' past and continuing infringement of the '665 Patent has been deliberate and willful. Their conduct warrants an award of treble damages, pursuant to 35 U.S.C. § 284, and this is an exceptional case justifying an award of attorney fees to Plaintiffs pursuant to 35 U.S.C. § 285.

**DEMAND FOR JURY TRIAL**

The Plaintiffs, SOREIDE and SOBLICK, hereby demands a trial by jury on all appropriate issues.

**PRAYER FOR RELIEF**

Therefore, upon final hearing or trial, Plaintiffs SOREIDE and SOBLICK prays for the following relief:

- (a) A judgment that the Defendants have infringed on the '665 Patent;
- (b) A judgment and order permanently restraining and enjoining the Defendants, their directors, officers, employees, servants, agents, affiliates, subsidiaries, others controlled by them, and all persons in active concert or participation with any of them, from further infringing on the '665 Patent;
- (c) A judgment and order requiring the Defendants to pay damages to Plaintiffs adequate to compensate it for the Defendants wrongful infringing acts, in accordance with 35 U.S.C. § 284;
- (d) A judgment and order requiring the Defendants to pay increased damages up to three times, in view of their willful and deliberate infringement of the Plaintiffs' Patent;
- (e) A finding in favor of the Plaintiffs that this is an exceptional case, under 35 U.S.C. § 285, and an award to Plaintiffs of its costs, including reasonable attorney fees and other expenses incurred in connection with this action;
- (f) A judgment and order requiring the Defendants to pay to Plaintiffs pre-judgment interest under 35 U.S.C. § 284, and post-judgment interest under 28 U.S.C. § 1961, on all damages awarded; and
- (g) Such other costs and further relief, to which Plaintiffs are entitled.

Respectfully submitted, November 23<sup>rd</sup>, 2011

/s/ Lars K. Soreide  
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