

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

KEITH LEWIS,)	
)	
Plaintiff,)	Civil Case No. 11-cv-7069
)	
v.)	JURY TRIAL DEMANDED
)	
GROTE INDUSTRIES, INC.)	
)	
Defendants.)	

COMPLAINT

Plaintiff Keith Lewis, for his complaint against Defendant Grote Industries, Inc. (“Grote”) alleges as follows:

NATURE OF THE SUIT

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

PARTIES

2. Keith Lewis is an individual and citizen of the United Kingdom.

3. Mr. Lewis is the sole inventor and owner of United States Patent No. 7,252,407 (the “407 Patent”), entitled “Lighting Apparatus.”

4. Mr. Lewis owns all right, title, and interest in, and has standing to sue for, the infringement of the ‘407 Patent

5. The defendant has infringed one or more claims of Mr. Lewis’ ‘407 Patent by manufacturing, selling, and/or offering to sell lighting components and devices in the United States, including sales in Illinois and this judicial district.

6. Grote Industries, Inc. (“Grote”) is an Indiana corporation with headquarters at 2600 Lanier Drive, Madison, IN 47250. Grote is an international company and a world leader in vehicle safety systems, providing a wide range of components for original equipment manufacturers and the vehicle aftermarket.

JURISDICTION AND VENUE

7. This Court has exclusive jurisdiction over the subject matter of this case for patent infringement under 28 U.S.C. § 1338(a).

8. This Court has personal jurisdiction over the defendant because it conducts business in Illinois, and because it has committed acts of patent infringement in Illinois and this judicial district, such as the offer and sale of infringing lighting devices to customers in Illinois.

9. The defendant has placed its infringing products in the stream of commerce with knowledge and intent that the products would be distributed and sold, directly or through others in a distribution chain, to customers in Illinois and this judicial district.

10. Venue is proper in this judicial district under 28 U.S.C. §§ 1400(b) and 1391. The defendant has committed acts of infringement in this district and is subject to personal jurisdiction here.

PATENT INFRINGEMENT

11. Grote has infringed at least one claim of the ‘407 Patent, at least by manufacturing, using, selling, and offering to sell LED lighting devices, including, but not limited, to lamps and work lamps identified by Grote by model numbers 63831, 63601, 63571, 61F61, 61621, 61861, 63671, 63681, 63691, 63701,

63711, 63721, 82370, 82071, 82081, 82082, 82085, 82390, 82095, 82400, and 82380.

12. The defendant's infringement has injured Mr. Lewis, and Mr. Lewis is entitled to recover damages adequate to compensate him for such infringement, but in no event less than a reasonable royalty.

13. Mr. Lewis' injury will continue unless and until this Court enters an injunction against further infringement by the defendant.

14. Mr. Lewis has complied with any applicable provisions of 35 U.S.C. § 287.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Keith Lewis respectfully requests that this Court enter judgment against the Defendant Grote Industries, Inc. and against its subsidiaries, successors, parents, affiliates, officers, directors, agents, servants, employees, and all persons in active concert or participation with it, granting the following relief:

A. The entry of judgment in favor of Mr. Lewis on the claim of infringement of his '407 Patent;

B. An award of damages adequate to compensate Mr. Lewis for the infringement that has occurred (together with prejudgment interest from the date the infringement began), but in no event less than a reasonable royalty as permitted by 35 U.S.C. § 284;

C. A permanent injunction against further infringement of the '407 Patent;

D. A finding that this case is exceptional and an award to Mr. Lewis of all relief provided by 35 U.S.C. § 285; and

E. Such other and further relief that Mr. Lewis is entitled to under law, and any additional relief that this Court or a jury may deem just and proper.

JURY DEMAND

Keith Lewis demands a trial by jury on all issues presented in this complaint.

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