

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

ZEN DESIGN GROUP LIMITED,
a Michigan limited liability company,

Plaintiff,

vs.

HONORABLE _____

CASE NO. _____

HOT FOCUS, INC,
a California corporation,

Defendant.

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT

Plaintiff Zen Design Group, Ltd. ("Zen Design") for its Complaint against defendant Hot Focus, Inc. ("Hot Focus") states as follows:

THE PARTIES

1. Zen Design is a Michigan limited liability company having a regular and established place of business at 2850 Coolidge Highway, Berkley, MI 48072.

2. On information and belief, Hot Focus is a California Corporation having a place of business at 1365 S Parkside Place, Ontario, CA, 91761-4556.

JURISDICTION

3. All claims arise under the Patent Act, 35 U.S.C. § 1 *et seq.*

4. Subject matter jurisdiction for the pleaded claims is conferred upon the Court by 28 U.S.C. § 1338.

5. Upon information and belief, Hot Focus has offered for sale, and sold, infringing products and/or committed infringing acts in this district. Accordingly, venue is proper in this district pursuant to 28 U.S.C. § 1391 and/or 28 U.S.C. § 1400.

FOUNDATIONAL FACTS

6. On March 25, 2005, the United States Patent and Trademark Office ("PTO") issued U.S. Patent No. 6,860,616 ("the '616 patent") entitled "Ultraviolet Light Writing System." A true and correct copy of the '616 patent is attached hereto as Exhibit A.

7. Zen Design is the owner by assignment of the '616 patent.

8. Upon information and belief, Hot Focus has offered for sale and/or sold numerous products under various names which incorporate the phrase “Secret Message, Invisible Writing Pen,” including, but not limited to those products with 200EN and 201MB product numbers.

9. Hot Focus’s “Secret Message, Invisible Writing Pen” infringes claims of the '616 patent.

10. Hot Focus was requested to cease its infringing conduct, but refused.

COUNT I
PATENT INFRINGEMENT

11. Plaintiff Zen Design reaffirms and realleges the allegations in the preceding paragraphs.

12. Hot Focus has infringed and is infringing the '616 patent, either directly, by inducing others to infringe and/or contributorily, by making, using, offering for sale, selling, and/or importing in the United States its “Secret Message, Invisible Writing Pen.”

13. On information and belief, Hot Focus’s actions constitute knowing and willful infringement of the '616 patent.

14. Plaintiff Zen Design has suffered damages as a result of the infringing activities of Hot Focus, and will continue to suffer damage as long as those infringing activities continue.

15. This is an exceptional case under 35 U.S.C. § 285.

PRAYER FOR RELIEF

WHEREFORE, plaintiff Zen Design requests entry of a judgment against Hot Focus granting relief as follows:

- A. Finding Hot Focus liable for infringement of the '616 patent;
- B. Preliminary and permanent injunctive relief restraining Hot Focus, together with any agents, servants, employees, and attorneys, and such other persons in active concert or participation with Hot Focus who receive actual notice of the order, from further infringement of the '616 patent;
- C. Awarding plaintiff Zen Design damages adequate to compensate for Hot Focus's infringement and increasing those damages to three times the amount assessed pursuant to 35 U.S.C. § 284;
- D. Declaring this an exceptional case within the meaning of 35 U.S.C. § 285, and awarding plaintiff Zen Design its reasonable attorney fees, costs, and disbursements;
- E. Awarding Zen Design interest on all damages awarded; and
- F. Granting such other, further and different relief as may be just and equitable on the proofs.

DEMAND FOR JURY TRIAL

Zen Design hereby demands a trial by jury of all issues so triable.

Respectfully submitted,

BROOKS KUSHMAN P.C.

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