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3:05-CV-01128 W S DEANS CO V. DYMOND MODELSPORT

\*1\*

\*CMP.\*

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8 William S. Deans

FILED

05 MAY 31 PM 12: 27

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY:

DEPUTY

10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

05 CV 1128

JAH (NLS)

13 W.S. DEANS CO., a California corporation, and  
14 WILLIAM S. DEANS, an individual

14 Plaintiffs,

15 v.

16 DYMOND MODELSPORT USA LTD., a  
17 Wisconsin corporation

18 Defendant.

) Civil Action No.  
)  
) **COMPLAINT FOR**  
) **PATENT INFRINGEMENT;**  
) **FEDERAL AND STATE**  
) **TRADEMARK INFRINGEMENT;**  
) **FEDERAL TRADEMARK**  
) **COUNTERFEITING; FEDERAL**  
) **AND STATE TRADE DRESS**  
) **INFRINGEMENT; AND**  
) **STATE UNFAIR COMPETITION;**  
) **DEMAND FOR JURY TRIAL**

20 Plaintiffs W.S. DEANS CO. and WILLIAM S. DEANS hereby complain of  
21 DEFENDANT DYMOND MODELSPORT USA LTD. and allege as follows:

22 **I. JURISDICTION AND VENUE**

23 1. This action arises under the Trademark and Patent laws of the United States,  
24 Titles 15 and 35 of the United State Code, and the statutory and common law of the state  
25 of California. This Court has subject matter jurisdiction under 15 U.S.C. § 1121(a) and  
26 28 U.S.C. §§ 1331, 1338(a) and (b), and 28 U.S.C. § 1367(a). Venue is proper in this judicial  
27 district under 28 U.S.C. §§ 1391 and 1400(b).

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**II. THE PARTIES**

2. Plaintiff W.S. Deans Co. is a California corporation and has a principal place of business at 10875 Portal Drive, Los Alamitos, California 90720. William S. Deans, an individual, resides in California and has a place of business at 10875 Portal Drive, Los Alamitos, California 90720. Plaintiffs are in the business of making and selling products in the hobby industry, including electrical connectors for remote-controlled airplanes, cars, and boats.

3. Defendant Dymond Modelsport USA Ltd. is a Wisconsin corporation and has a principal place of business at 3904 Convoy Street, Suite 110, San Diego, California. Dymond is in the business of selling products in the hobby industry, including electrical connectors for remote-controlled airplanes, cars, and boats.

4. Plaintiffs are informed and believe, and thereon allege, that Defendant has committed the acts alleged herein within this judicial district. These acts include, but are not limited to, the offer for sale of certain electrical connectors, with the knowledge and intent that these electrical connectors would be used within this judicial district.

5. Before filing this Complaint, Plaintiffs attempted in good faith to resolve the offenses complained of herein with Defendant. On multiple occasions, Defendant agreed, through its president, Helmut Goestl, to provide evidence of the volume and extent of its infringing sales, but then, after lengthy delays, failed to do so.

**III. CLAIM I: PATENT INFRINGEMENT**

6. This is a claim for patent infringement under 35 U.S.C. §§ 271 and 281.

7. Plaintiffs hereby repeat, reallege, and incorporate by reference ¶¶ 1-5 of this Complaint as though fully set forth herein.

8. On July 9, 1996, the United States Patent and Trademark Office duly and lawfully issued United States Patent No. 5,533,915 ("the '915 patent"). The '915 patent is entitled "Electrical Connector Assembly" and names Plaintiff William S. Deans as the sole inventor. A copy of U.S. Patent No. 5,533,915 is attached hereto as Exhibit A.

///

1 9. Plaintiff W.S. Deans Co. is the exclusive licensee of the '915 patent from  
2 Plaintiff William S. Deans. Plaintiff W.S. Deans Co. has sold a large quantity of products  
3 covered by the '915 patent.

4 10. Plaintiffs are informed and believe, and thereon allege, that Defendant,  
5 through its agents, employees, and servants, is directly infringing the '915 patent by making,  
6 using, offering for sale, selling, and/or importing electrical connectors covered by one or  
7 more claims of that '915 patent, and indirectly infringing the '915 patent by inducing and/or  
8 contributing to the infringement of others by aiding and abetting such infringement and/or  
9 offering for sale, selling, and/or importing components with no substantial non-infringing use.  
10 None of the foregoing acts have been authorized by Plaintiffs.

11 11. Plaintiffs are informed and believe, and thereon allege, that Defendant has  
12 derived and received gains, profits, and advantages in amounts not presently known to  
13 Plaintiffs from its acts of infringement.

14 12. Due to the acts of infringement by Defendant, Plaintiffs have suffered great  
15 and irreparable injury.

16 13. Plaintiffs are informed and believe, and thereon allege, that, unless Defendant  
17 is enjoined by this Court, Defendant will continue to infringe the '915 patent in violation of  
18 Plaintiffs' rights, causing great and irreparable injury to Plaintiffs for which Plaintiffs have no  
19 adequate remedy at law.

20 **IV. CLAIM II: FEDERAL TRADEMARK INFRINGEMENT**

21 14. This is a claim for trademark infringement under 15 U.S.C. §§ 1114 and 1125.

22 15. Plaintiffs hereby repeat, reallege, and incorporate by reference paragraphs 1-13  
23 of this Complaint as though fully set forth herein.

24 16. For many years, Plaintiffs have manufactured, marketed, advertised, and sold  
25 electrical connectors and related products and services, including but not limited to, electrical  
26 connectors for use in model vehicles, such as airplanes and cars, under the trademark  
27 "DEANS."

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1           17. Plaintiff W.S. Deans Co. owns a federal registration for the DEANS trademark  
2 granted by the U.S. Patent and Trademark Office on July 21, 1998 under Registration  
3 No. 2,174,924 for electrical connectors and electrical wire used in remote controlled hobby  
4 devices. A copy of this registration is attached hereto as Exhibit B. This registration is valid,  
5 subsisting, and incontestable in accordance with 15 U.S.C. § 1065 as "conclusive evidence of  
6 the validity of the registered mark and of the registration of the mark, of the registrant's  
7 ownership of the mark, and of the registrant's exclusive right to use the registered mark in  
8 commerce" in accordance with 15 U.S.C. § 1115(b).

9           18. Plaintiff W.S. Deans Co. has sold a large quantity of products under the  
10 DEANS trademark throughout the United States, including in California, and Plaintiffs have  
11 spent a great deal of money and effort to advertise and promote the goods under the DEANS  
12 trademark throughout the United States, including in California.

13           19. By virtue of Plaintiff W.S. Deans Inc.'s substantial, continuous, and  
14 well-known use of the DEANS trademark in the industry, the mark possesses strong  
15 secondary meaning referring to Plaintiff W.S. Deans Co., and represents an extremely  
16 valuable goodwill asset owned by Plaintiff W.S. Deans Co. throughout the United States,  
17 including in California.

18           20. Plaintiffs are informed and believe, and thereon allege, that Defendant has  
19 manufactured, advertised, marketed, and sold electrical connectors under or in connection  
20 with the DEANS trademark, throughout the United States, including in California.  
21 An example of the use of the DEANS trademark by Defendant is shown below:

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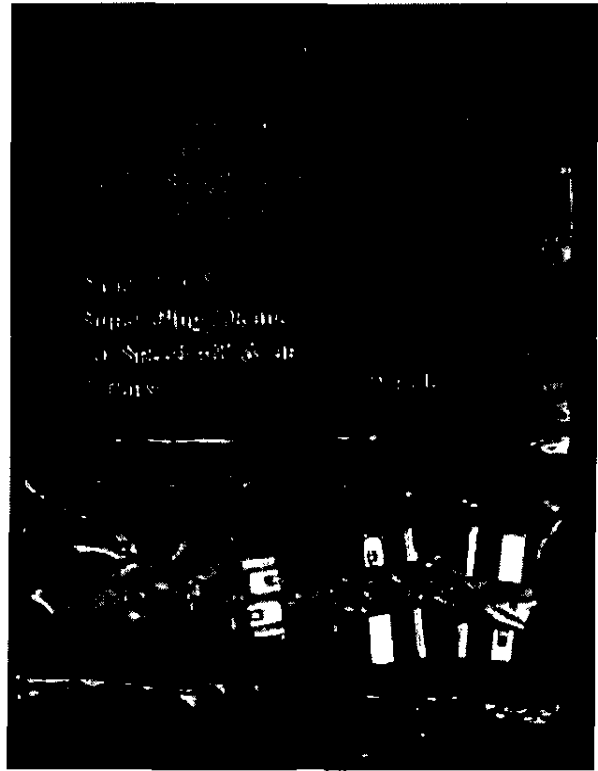
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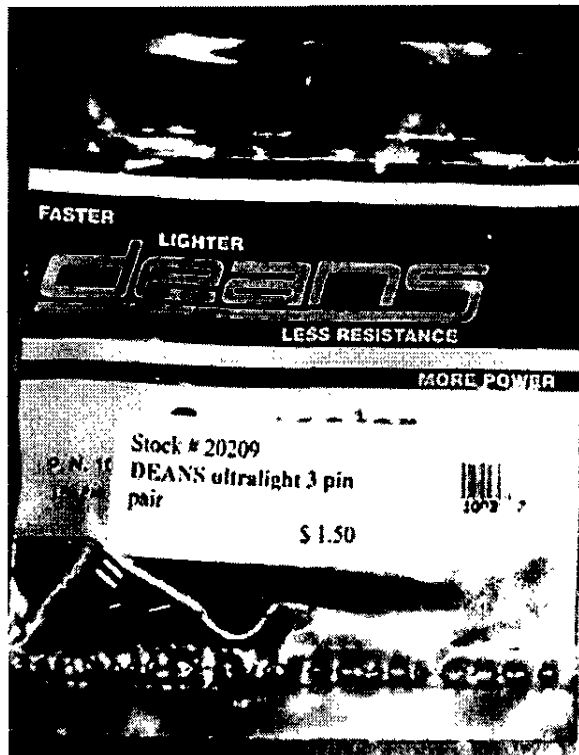
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21. Plaintiffs are informed and believe, and thereon allege, that Defendant began to market and sell, and continued to market and sell, the infringing electrical connectors with knowledge of Plaintiff W.S. Deans Co.'s rights in the marks. At the same time that Defendant sold the infringing connectors, Defendant also sold genuine DEANS connectors bearing the proper trademarks, with appropriate federal trademark symbols on the packaging. An example of a package of genuine DEANS connectors sold by Defendant is shown below:

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The DEANS trademark is displayed prominently on this packaging with the well-known federal trademark registration symbol (“®”) positioned immediately to the right of the DEANS trademark. Thus, on information and belief, Plaintiffs allege that Defendant had actual knowledge of the DEANS trademark and the federal registration thereon, and the ownership of such rights by Plaintiff W.S. Deans Co., at the time of Defendant’s sales of the infringing products.

22. Defendant’s use of the DEANS trademark has been without consent from Plaintiff W.S. Deans Co., and Defendant’s unauthorized use of the DEANS trademark has irreparably injured Plaintiff W.S. Deans Co. by depriving it of the right to control its marks.

23. Defendant’s unauthorized use of the DEANS trademark in connection with infringing electrical connectors, on information and belief, is intended to cause, and has caused, and is likely to continue to cause confusion, or to cause mistake, or to deceive the public.

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1           24. Plaintiffs are informed and believe, and thereon allege, that Defendant is likely  
2 to mislead perspective purchasers as to the affiliation, connection, or association of  
3 Defendant, its infringing electrical connectors, and its goodwill, with Plaintiffs, or as to the  
4 origin, sponsorship or approval of Defendant's infringing electrical connectors by Plaintiffs,  
5 intending to cause purchasers to rely thereon.

6           25. Defendant has knowingly offered said products in commerce, on information  
7 and belief, with knowledge of the falsity and misleading affect of such designations, in  
8 violation of 15 U.S.C. §§ 1114 and 1125.

9           26. By reason of Defendant's acts, Plaintiff W.S. Deans Co. has suffered and will  
10 continue to suffer damage in and injury to its business, reputation and goodwill, and will  
11 sustain loss of revenues and profits.

12           27. Unless enjoined by this Court, Defendant will continue to perform the acts  
13 complained of herein and cause said damages and injury, all to the immediate and irreparable  
14 harm of Plaintiff W.S. Deans Co. Plaintiff W.S. Deans Co. has no adequate remedy at law  
15 for Defendant's wrongful acts.

16                   **V. CLAIM III: FEDERAL TRADEMARK COUNTERFEITING**

17           28. This is a claim for trademark counterfeiting under Title 15 of the United  
18 States Code.

19           29. Plaintiffs hereby repeat, reallege, and incorporate by reference ¶¶ 1-27 of this  
20 Complaint as though fully set forth herein.

21           30. Defendant's use of the DEANS trademark, on information and belief, in  
22 connection with its infringing electrical connectors, constitutes use of spurious designations  
23 identical with, or indistinguishable from, Plaintiff W.S. Deans Co.'s registered DEANS  
24 trademark, and is without Plaintiff W.S. Deans Co.'s consent or authorization.

25           31. Plaintiffs are informed and believe, and thereon allege, that Defendant's  
26 aforesaid acts have been willful, intentional, or in reckless disregard of the rights of Plaintiff  
27 W.S. Deans Co.

28           ///



1 32. By reason of Defendant's acts, Plaintiff W.S. Deans Co. has suffered and will  
2 continue to suffer damage and injury to its business, reputation, and goodwill, and will  
3 sustain loss of revenues in profits.

4 33. Unless enjoined by this Court, Defendant will continue to perform the acts  
5 complained of herein and cause said damages and injury, all to the immediate and irreparable  
6 harm of Plaintiff W.S. Deans Co. Plaintiff W.S. Deans Co. has no adequate remedy at law  
7 for Defendant's wrongful acts.

8 **VI. CLAIM IV: TRADE DRESS INFRINGEMENT**  
9 **UNDER THE FEDERAL LANHAM ACT**

10 34. This is claim for trade dress infringement under 15 U.S.C. § 1125(a).

11 35. Plaintiffs hereby repeat, reallege, and incorporate by reference ¶¶ 1-33 of this  
12 Complaint as though fully set forth herein.

13 36. Plaintiffs are informed and believe, and thereon allege, that Defendant's  
14 manufacturing, marketing, and sale of electrical connectors that are confusingly similar to  
15 Plaintiffs' product designs constitute a false designation of origin tending wrongfully and  
16 falsely to represent a connection between Plaintiffs and Defendant and their respective goods.  
17 Plaintiffs believe that they are likely to be injured, and that customers are likely to be  
18 confused, by Defendant's use of such false representation.

19 37. Defendant's acts are in violation of 15 U.S.C. § 1125(a), and will continue to  
20 inflict irreparable injury of Plaintiffs unless enjoined by this Court. Plaintiff W.S. Deans Co.  
21 has no adequate remedy at law for Defendant's wrongful acts.

22 **VII. CLAIM V: TRADE DRESS INFRINGEMENT**  
23 **AND UNFAIR COMPETITION UNDER CALIFORNIA STATUTE**

24 38. This is an action for trade dress infringement and unfair competition arising  
25 under Cal. Bus. & Prof. Code §§ 14200, 17200, et seq.

26 39. Plaintiffs hereby repeat, reallege, and incorporate by reference ¶¶ 1-37 of this  
27 Complaint as though fully set forth herein.

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1           40. By reason of the foregoing acts, Defendant has infringed Plaintiff's trade dress  
2 in violation of Cal. Bus. & Prof. Code §§ 14200, et seq., and unfairly competed in violation  
3 of Cal. Bus. & Prof. Code § 17200, et seq.

4           41. By reason of Defendants' actions, Defendants have irreparably injured the  
5 consumer recognition and goodwill associated with Plaintiffs' business, and such injury will  
6 continue unless enjoined by this Court. Plaintiff W.S. Deans Co. has no adequate remedy at  
7 law for Defendant's wrongful acts.

8                   **VIII. CLAIM VI: TRADEMARK INFRINGEMENT, TRADE DRESS**  
9                   **INFRINGEMENT, AND UNFAIR COMPETITION**  
10                   **UNDER CALIFORNIA COMMON LAW**

11           42. This is an action for trademark and trade dress infringement and unfair  
12 competition arising under the common law of the state of California.

13           43. Plaintiffs hereby repeat, reallege, and incorporate by reference ¶¶ 1-41 of this  
14 Complaint as though fully set forth herein.

15           44. By reason of the foregoing acts, Defendant has infringed Plaintiff's trademark  
16 and trade dress rights, and unfairly competed with Plaintiff, in violation of the common law  
17 of the State of California.

18           45. By reason of Defendants' actions, Defendants have irreparably injured the  
19 consumer recognition and goodwill associated with Plaintiffs' business, and such injury will  
20 continue unless enjoined by this Court. Plaintiff W.S. Deans Co. has no adequate remedy at  
21 law for Defendant's wrongful acts.

22           **WHEREFORE**, Plaintiffs pray for relief as follows:

23           A. That Defendant be adjudged to have infringed United States Patent  
24 No. 5,533,915;

25           B. That Defendant, its officers, directors, owners, partners, agents, servants,  
26 employees, and attorneys, and those persons in active concert or participation  
27 with them who receive actual notice of the Order, be preliminarily  
28 and permanently restrained and enjoined from infringing United States

- 1 Patent No. 5,533,915;
- 2 C. That Defendant account for damages to Plaintiffs for its infringement of  
3 United States Patent No. 5,533,915;
- 4 D. That a judgment be entered against Defendant awarding Plaintiffs all damages  
5 proven at trial, including reasonable royalty and lost profits damages, for  
6 infringement of United States Patent No. 5,533,915;
- 7 E. That the damages in this judgment be trebled for Defendant's willful  
8 infringement of United States Patent No. 5,533,915;
- 9 F. That there be an assessment of pre-judgment and post-judgment interest and  
10 costs against Defendant and in favor of Plaintiffs and an award of this interest  
11 and costs to Plaintiffs;
- 12 G. That this case be judged an "exceptional" case within the meaning of  
13 35 U.S.C. § 285, and that Plaintiffs be awarded their attorneys' fees pursuant  
14 thereto, recoverable from Defendant;
- 15 H. That Plaintiffs receive such other and further relief as the Court may deem just  
16 for Defendant's infringement of United States Patent No. 5,533,915;
- 17 I. That Defendant be adjudged to have violated the provisions of 15 U.S.C.  
18 § 1114 and 1125 by infringing the trademarks and trade dress of Plaintiffs and  
19 by committing acts of trademark counterfeiting;
- 20 J. That Defendant be adjudged to have infringed Plaintiffs' trade dress and to  
21 have competed unfairly with Plaintiffs in violation of California statute;
- 22 K. That Defendant be adjudged to have competed unfairly with Plaintiffs in  
23 violation of the common law and statutory laws of the state of California,  
24 Cal. Bus. & Prof. Code § 17200, et seq.;
- 25 L. That Defendant, its officers, directors, owners, partners, employees, servants,  
26 attorneys, and agents, and all those persons in active concert and  
27 participation with Defendant, be forthwith preliminarily and thereafter  
28 permanently enjoined, pursuant to 15 U.S.C. § 1116 and Cal. Bus. & Prof.

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Code § 17203, from:

- (1.) Using, displaying, selling, or offering for sale any product that infringes Plaintiffs' trade dress;
- (2.) Practicing unfair competition, unfair trade practices, false designation of origin, or misappropriation against Plaintiffs; and
- (3.) Practicing any conduct aimed at or likely to result in diverting business intended for Plaintiffs or injuring Plaintiffs' goodwill and business reputation by way of invitation, misrepresentation, false statements, advertising, fraud, and/or deception;

M. That Defendant's trademark and trade dress infringement, unfair competition, and counterfeiting be determined to be deliberate and willful;

N. That Defendant be required to account to Plaintiffs for any and all profits derived by it, and all damages sustained by Plaintiffs by reason of Defendants' acts complained herein;

O. That Defendant be order to pay all applicable statutory damages, including but not limited to statutory damages under 15 U.S.C. § 1117(c)(2) for willful trademark counterfeiting.

P. That Defendant be ordered to pay over to Plaintiffs all damages that Plaintiffs have sustained as a consequence of the acts complained of herein, subject to proof at trial, and that Plaintiffs be awarded Defendant's profits derived by reason of said acts, or as determined by said accounting;

Q. That such damages and profits be trebled and awarded to Plaintiffs pursuant to 15 U.S.C. § 1117;

R. That Plaintiffs recover exemplary damages in an amount to be determined at trial pursuant to Cal. Civ. Code §3294;

S. That Defendants be required to deliver and destroy all literature, advertising, goods, and other materials associated with the infringing and unlawful trademark and trade dress infringement, counterfeiting, and unfair

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competition;


T. That Plaintiffs be awarded their costs, attorneys' fees, and expenses in this suit under 15 U.S.C. § 1117; and

U. That Plaintiffs shall receive such other and further relief for Defendant's trademark and trade dress infringement, counterfeiting, and unfair competition as the Court may deem just.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 5/27/05

By:   
Darrell L. Olson  
Paul N. Conover  
Christopher L. Ross  
Attorneys for Plaintiffs  
W.S. DEANS CO. and  
WILLIAM S. DEANS

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**DEMAND FOR JURY TRIAL**

Plaintiffs hereby demand a trial by jury on all issues triable by jury in this case.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 5/27/05

By: Paul Conover

Darrell L. Olson  
Paul N. Conover  
Christopher L. Ross  
Attorneys for Plaintiffs  
W.S. DEANS CO. and  
WILLIAM S. DEANS

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**TABLE OF CONTENTS**

**EXHIBITS TO COMPLAINT FOR  
PATENT INFRINGEMENT;  
FEDERAL AND STATE TRADEMARK INFRINGEMENT;  
FEDERAL TRADEMARK COUNTERFEITING;  
FEDERAL AND STATE TRADE DRESS INFRINGEMENT;  
AND STATE UNFAIR COMPETITION**

EXHIBIT A	United States Patent No. 5,533,915	Pg. 15
EXHIBIT B	Trademark Registration No. 2,174,924	Pg. 22







US005533915A

**United States Patent** [19]

[11] **Patent Number:** **5,533,915**

**Deans**

[45] **Date of Patent:** **Jul. 9, 1996**

[54] **ELECTRICAL CONNECTOR ASSEMBLY**

**OTHER PUBLICATIONS**

[76] **Inventor:** William S. Deans, 7628 Jackson St.,  
Paramount, Calif. 90723

Available ASA Receptacle Design and Their Application, by P. J. Schram in Electrical Construction and Maintenance, pp. 102-103, Publ. Jun., 1964.

[21] **Appl. No.:** 125,308

*Primary Examiner*—Z. R. Bilinsky  
*Attorney, Agent, or Firm*—Edgar W. Averill, Jr.

[22] **Filed:** Sep. 23, 1993

[51] **Int. Cl.<sup>6</sup>** ..... H01R 13/17

[57] **ABSTRACT**

[52] **U.S. Cl.** ..... 439/678; 439/819; 439/825

An electrical collector assembly with a male connector and a female connector. The assembly is capable of carrying a large amount of current between the male and female connectors. The female connector body has a rectangular opening which supports a flat elongated connector pin with a space above the pin. The male connector body supports a male connector pin which extends from the body, a thin beryllium leaf spring is supported against one side of the portion of the male connector pin which extends from the male connector body. When the male connector pin is plugged into the female connector body, the leaf spring urges the male connector pin against the female connector pin.

[58] **Field of Search** ..... 439/692, 678,  
439/819, 825, 827, 887

[56] **References Cited**

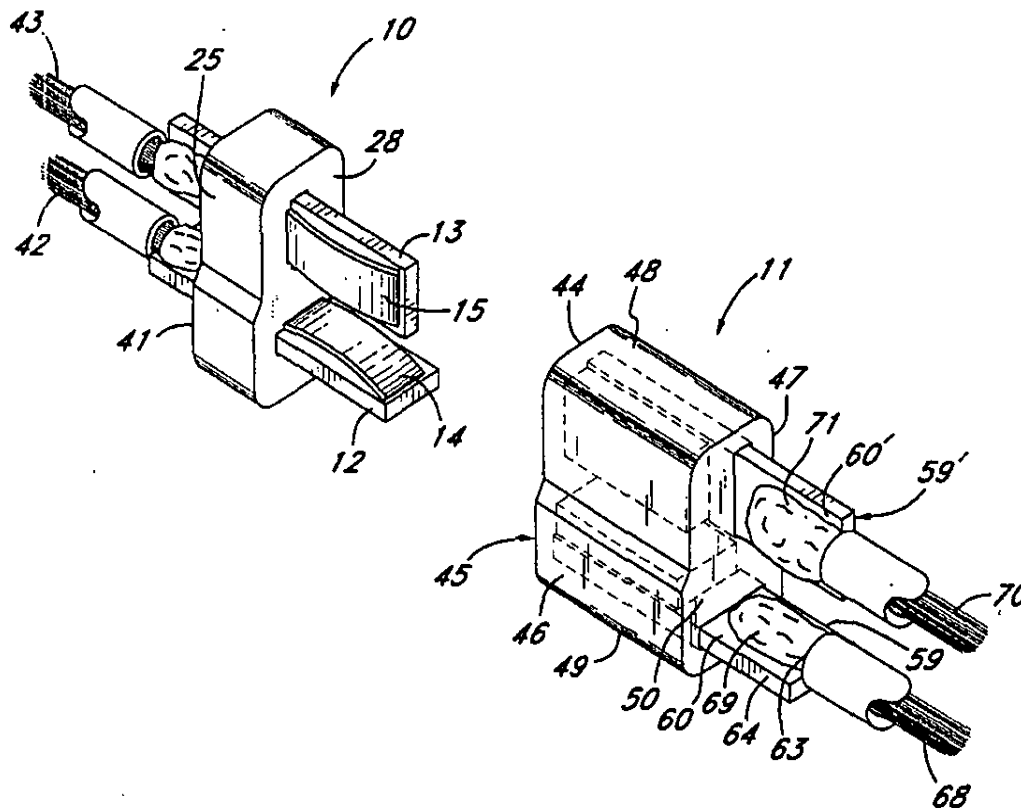
**U.S. PATENT DOCUMENTS**

2,121,338	6/1938	Chirelstein	.....	439/692
2,203,122	6/1940	Anderson	.....	439/692 X
3,233,211	2/1966	Smith	.....	439/887 X
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**FOREIGN PATENT DOCUMENTS**

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1036107	9/1953	France	.....	439/692
704450	3/1941	Germany	.....	439/825

**10 Claims, 3 Drawing Sheets**



U.S. Patent

Jul. 9, 1996

Sheet 1 of 3

5,533,915

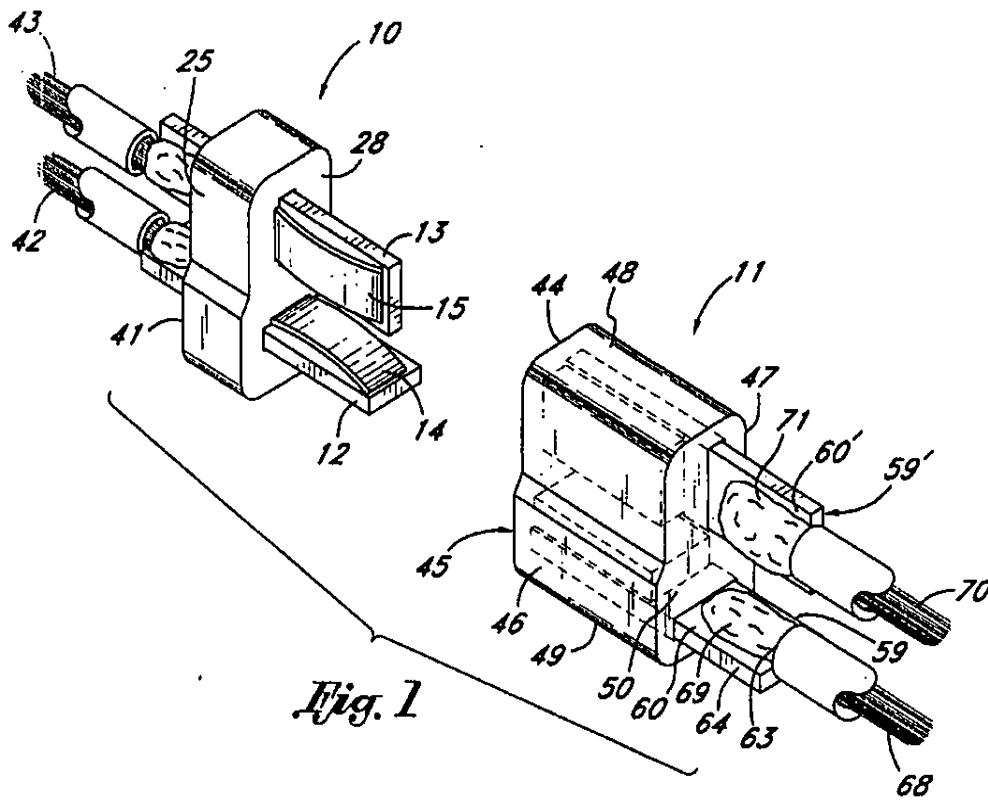


Fig. 1

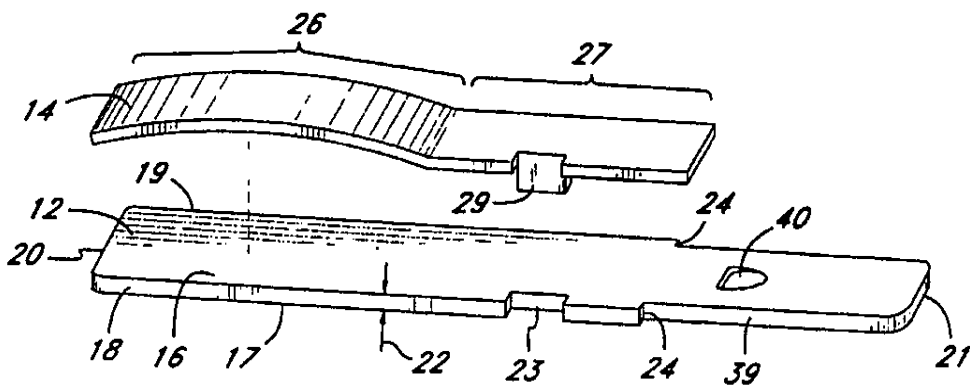
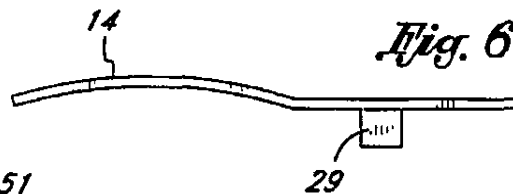
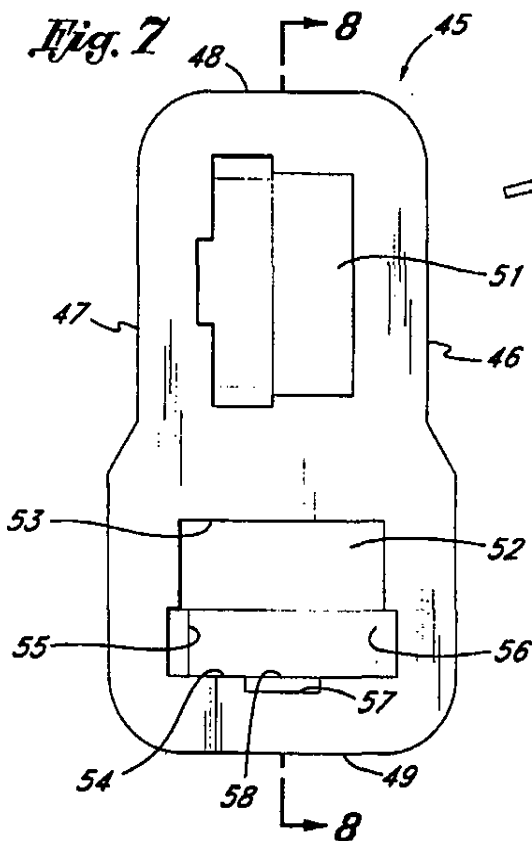
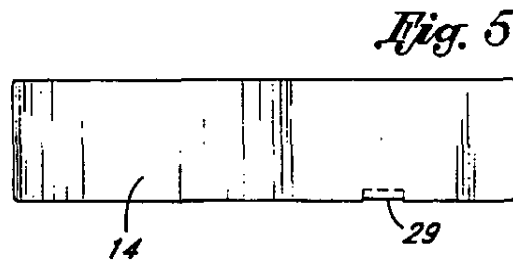
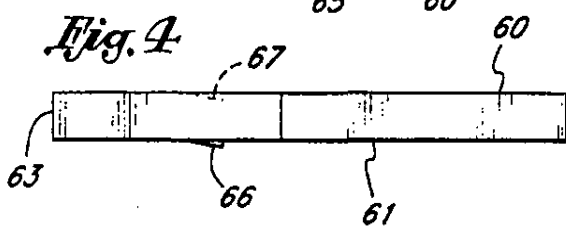
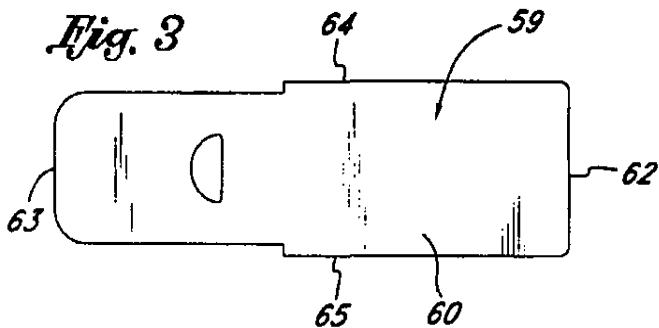
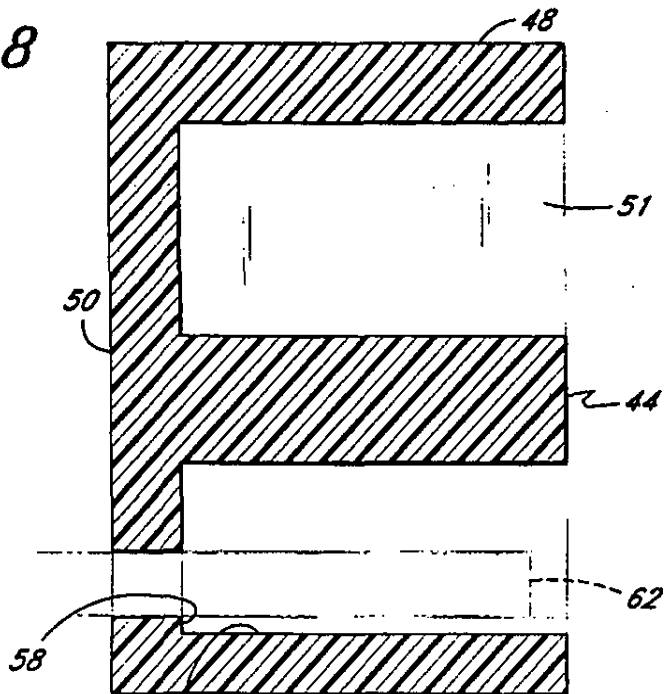


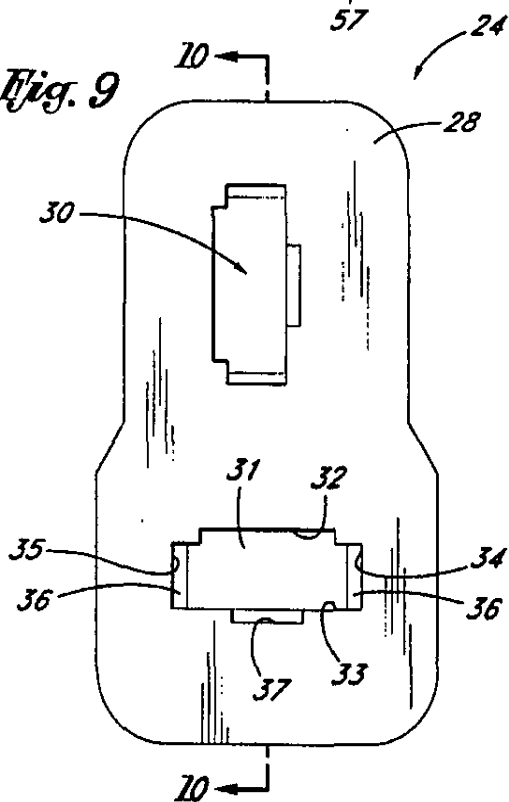
Fig. 2



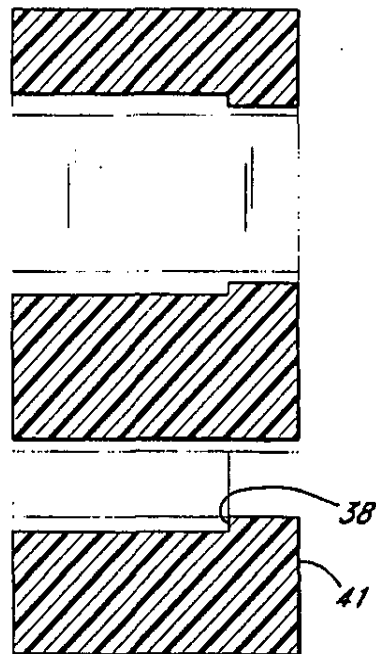
*Fig. 8*



*Fig. 9*



*Fig. 10*



5,533,915

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**ELECTRICAL CONNECTOR ASSEMBLY****BACKGROUND OF THE INVENTION**

The field of the invention is electrical connectors and the invention relates more particularly to electrical connectors capable of carrying a relatively large amount of current.

With the improvement in battery design, many portable devices require that a relatively large amount of current be carried when operating the device. It is also common that this current must be carried through a connector so that a recharged battery can be easily plugged into the device or other controls may be easily connected or disconnected.

Because of the large amount of current flowing in such devices, many connectors tended to gall at the interface between the male and female connectors which in turn would cause a resistance which would lead to a heating and often destruction of the connector. Such connectors also degraded the performance of the battery powered device.

Another problem with connectors capable of carrying relatively large amount of current is that such connectors are very difficult to plug in and unplug. It is also important that such connectors be light in weight since it is usually desired that the electrically power devices be as light as possible.

**BRIEF SUMMARY OF THE INVENTION**

It is an object of the present invention to provide an electrical connector assembly with a male and female connector which assembly is capable of carrying a large amount of current without galling and yet which is easy to plug and unplug.

The present invention is for an electrical connector assembly including a male connector and a female connector. The female connector has a female connector body with a face, and the body has a generally rectangular opening. A female connector pin is held in the female connector body recessed from the face and positioned so that there is a space between the top of the connector pin and the top of the rectangular opening for positioning a male connector pin therein. A male connector body also has a rectangular opening which holds a male connector pin which extends past the face of the male connector body. A thin leaf spring with a curved portion overlies the extended length of the male connector pin. When the male connector pin is plugged into the opening above the female connector pin, the thin leaf spring abuts the top of the rectangular opening in the female connector urging the male connector pin against the female connector pin to provide an excellent electrical contact. Preferably one of the pins is plated with nickel and gold and the other pin is plated with nickel and silver. Also, preferably there is a pair of male connector pins and a pair of female connector pins which are positioned at an angle from one another so that the connector is polarized and can only be plugged in one way.

**BRIEF DESCRIPTION OF THE DRAWINGS**

FIG. 1 is a perspective view showing the male and female connectors of the present invention in an unplugged configuration.

FIG. 2 is an exploded perspective view of a male connector pin and leaf spring of the male connector of FIG. 1.

FIG. 3 is a plan view of the female connector pin of the connector assembly of FIG. 1.

FIG. 4 is a side view thereof.

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FIG. 5 is a plan view of the leaf spring of the male connector pin of FIG. 1.

FIG. 6 is a side view thereof.

FIG. 7 is a front view showing the face of the female connector body of the connector assembly of FIG. 1.

FIG. 8 is a cross-sectional view taken along line 8—8 of FIG. 7.

FIG. 9 is a front view showing the face of the male connector body of FIG. 1.

FIG. 10 is a cross-sectional view taken along line 10—10 of FIG. 9.

**DESCRIPTION OF THE PREFERRED EMBODIMENTS**

The electrical connector assembly of the present invention is shown in perspective view in an unplugged configuration in FIG. 1 where the male connector assembly is indicated by reference character 10 and the female connector assembly by reference character 11. Male connector assembly 10 has an upper male connector pin 12 and a lower male connector pin 13, connector pins 12 and 13 are identical in shape and thus, only one will be described herein. A beryllium copper leaf spring 14 and an identical beryllium copper leaf 15 are held adjacent one side of connector pins 12 and 13 respectively.

Turning to FIG. 2, male connector pin 12 has a top 16, a bottom 17, a first side 18, a second side 19, a forward end 20, and a rearward end 21. Connector pin 12 is fabricated from copper which has preferably been nickel plated followed by gold plating. Male connector pin 12 has a thickness 22 and a notch 23 is formed along the first side thereof. Pin 12 also has a step 24 which helps position the pin in the generally rectangular opening formed in the male connector body 25.

Leaf spring 14 is fabricated from beryllium copper and has a curved length 26 and a flat length 27. The curved length 26 extends past the face 28 of connector body 24 and the flat portion 27 is held within connector body 24. A tab 29 fits into notch 23 to hold the spring in place both during assembly and later on during use. Leaf spring 15 is of identical construction and also has a tab which fits into a corresponding notch in connector pin 13.

The details of the male connector body 24 are shown best in FIGS. 9 and 10. In FIG. 9, the body is viewed from the face 28 and can be seen to have a generally rectangular upper opening 30 and an identically shaped (although rotated 90°) generally rectangular lower opening 31. Opening 31 has a top 32, a bottom 33, a first side 34 and a second side 35. The first and second sides also have steps 36 which mate with steps 24 on connector pin 12 as shown in FIG. 2 to provide a stop against further rearward movement of the connector pin. A bottom groove 37 is formed in bottom 33 and ends at a step 38 shown in FIG. 10. This step cooperates with a protrusion 39 which is formed by making an indentation 40 in the top 16 of connector pin 12.

The beryllium copper leaf spring 14 is placed over male connector pin 12 so the tab 29 fits in notch 30. The rearward end 21 of connector pin 12 is inserted in opening 31 and the protrusion 39 fits within bottom groove 37. Leaf spring 14 fits within opening 31. As pin 12 is forced into male connector body 25, the protrusion 39 displaces a portion of step 38 until it reaches the back 41 at which point it snaps against back 41 preventing the pin from being pulled out. A second connector pin 13 and beryllium copper leaf spring 15

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is inserted in upper generally rectangular opening 30 in an identical manner. Male conductors 42 and 43 are soldered near the rearward end 21 of each of the connector pins in a manner analogous to that shown on the female connector assembly 11 of FIG. 1.

The construction of female connector assembly 11 is shown best in FIGS. 7 and 8 which are taken from the face 44 of female connector body 45. Female connector body 45 has a first side 46, a second side 47, a top 48, a bottom 49 and a back 50. As shown in FIG. 7, connector body 45 has a generally rectangular upper opening 51 and a lower generally rectangular opening 52 identical to 51 except that it is rotated 270° as viewed in FIG. 7. Generally rectangular opening 52 has a top 53, a bottom 54, a first side 55, and a second side 56. A bottom groove 57 has a stop 58 which serves an analogous function to stop 38 of FIG. 10, i.e., the female connector pins 59 and 60 each have protrusions analogous to protrusion 39 on male connector pin 12.

The detail of construction of the female connector pin is shown best in FIGS. 3 and 4 where female connector pin 59 can be seen to have a top 60, a bottom 61, a forward end 62, a rearward end 63, a first side 64, and a second side 65. A protrusion 66, and a matching indentation 67, are also shown in FIG. 4 and hold the connector pin 59 in the connector body 45. Connector pin 59 is shown in phantom view in FIG. 8 where it can be seen that the forward end 62 is recessed from the face 44. This helps to avoid any undesired contact of male connector pins 12 and 13 unless they are oriented properly so that they will pass beneath the face 44 of connector body 45. The detail of construction of the beryllium copper spring connectors is shown best in FIG. 5 where it can be seen that tab 29 extends substantially below spring 14. It can also be seen that the corners of the spring are slightly rounded.

It can also be fairly seen in FIG. 1 that conductor 68 is soldered at 69 to the portion of female connector pin 59 which extends past back 50 of connector body 45. Similarly, conductor 70 is soldered at 71 to connector pin 59.

In operation connector pins 12 and 13 are inserted into generally rectangular openings 51 and 52. The beryllium copper leaf spring 14 contacts the top 53 of rectangular opening 52, thereby forcing the beryllium 17 of connector pin 12 against the top 60 of connector pin 59. This provides an exceptionally effective contact area and yet the male and female connectors do not require excessive force to be plugged together or to be unplugged. The connector bodies are preferably fabricated from a strong dielectric materials such as glass fiber reinforced nylon. This provides a smooth contact surface with the beryllium copper leaf springs. When using a gold plated male connector and a silver plated female connector, it has been found that the resulting connection is capable of passing 30 amps from an 8 volt battery without any breakdown at the connection.

While gold and silver are the preferred contact materials, it is also possible that both conductors can be gold plated, although gold and silver are still preferred. The connectors are very light in weight, easy to grasp, to plug and unplug, and easy to solder a conductor thereto.

The present embodiments of this invention are thus to be considered in all respects as illustrative and not restrictive; the scope of the invention being indicated by the appended claims rather than by the foregoing description. All changes which come within the meaning and range of equivalency of the claims are intended to be embraced therein.

What is claimed is:

1. An electrical connector assembly including a male

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connector and a female connector, said assembly being capable of carrying a large amount of current between the male and female connectors, said connector comprising:

a female connector body having a connector face, a top, a bottom, a first side, a second side and a back, said female connector body having a first generally rectangular opening extending inwardly from the connector face, said generally rectangular opening having a bottom, a first side, a second side, and a top, said generally rectangular opening extending to the back of the connector body and having a height between the top and bottom of the opening;

a female connector pin held in the female connector body, said female connector pin being an elongated, generally rectangular, bar having a top, a bottom, a first side, a second side, a forward end, a rearward end, and a thickness, said bar being supported in the generally rectangular opening so that the forward end is recessed from the face of the female connector body and the rearward end extends past the back of the connector body, and the thickness of the connector pin is substantially less than the height of the generally rectangular opening so that there is a connector opening above the top of the connector pin beneath the top of the generally rectangular opening;

a male connector body having a connector face, a top, a bottom, a first side, a second side and a back, said male connector body having a first generally rectangular opening extending inwardly from the connector face, said generally rectangular opening having a bottom, a first side, a second side, and a top, said generally rectangular opening extending to the back of the male connector body and having a height between the top and bottom of the opening to provide a male connector pin opening;

a male connector pin held in the male connector body, said male connector pin being an elongated, generally rectangular, bar having a top, a bottom, a first side, a second side, a forward end, a rearward end, and a thickness, said bar being supported in the generally rectangular opening so that the forward end extends outwardly from the face of the male connector body to provide an extended length and the rearward end extends past the back of the connector body, and a central portion within said male connector body, and the thickness of the connector pin is slightly less than the height of the generally rectangular opening so that there is room for a leaf spring above the top of the connector pin along its central portion beneath the top of the generally rectangular opening; and

a generally rectangular, thin leaf spring having a curved portion overlying the extended length of the male connector pin and a straight portion overlying the central portion of said male connector pin and said thin leaf spring being positioned so that when the male connector pin is inserted in the female connector opening, the spring connector abuts and is deflected by the top of the generally rectangular opening of the female connector body whereby the bottom of the male connector pin is pressed against the top of the female connector pin when the male connector pin is inserted into the female connector opening to provide an excellent electrical path between the male and female connector pins.

2. The electrical connector assembly of claim 1 wherein one of the male or female conductor pins is copper plated with nickel and gold.

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3. The electrical connector assembly of claim 1 wherein one of the male or female conductor pins is copper plated with nickel and silver.

4. The electrical connector assembly of claim 3 wherein the other of the female or male conductor pins is copper plated with nickel and gold.

5. The electrical connector assembly of claim 1 wherein the male and female connector bodies each have two generally rectangular openings and two connector pins.

6. The electrical connector assembly of claim 4 wherein the male connector pin is gold plated and the female connector pin is silver plated.

7. An electrical connector assembly including a male connector and a female connector, said assembly being capable of carrying a large amount of current between the male and female connectors, said connector comprising:

a female connector body having a connector face, a top, a bottom, a first side, a second side and a back, said female connector body having a first generally rectangular opening extending inwardly from the connector face, said generally rectangular opening having a bottom, a first side, a second side, and a top, said generally rectangular opening extending to the back of the connector body and having a height between the top and bottom of the opening;

a female connector pin held in the female connector body, said female connector pin being an elongated, generally rectangular, bar having a top, a bottom, a first side, a second side, a forward end, a rearward end, and a thickness, said bar being supported in the generally rectangular opening so that the forward end is recessed from the face of the female connector body and the rearward end extends past the back of the connector body, and the thickness of the connector pin is substantially less than the height of the generally rectangular opening so that there is a connector opening above the top of the connector pin beneath the top of the generally rectangular opening;

a male connector body having a connector face, a top, a bottom, a first side, a second side and a back, said male connector body having a first generally rectangular opening extending inwardly from the connector face, said generally rectangular opening having a bottom, a first side, a second side, and a top, said generally rectangular opening extending to the back of the male

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connector body and having a height between the top and bottom of the opening to provide a male connector pin opening;

a male connector pin held in the male connector body, said male connector pin being an elongated, generally rectangular, bar having a top, a bottom, a first side, a second side, a forward end, a rearward end, and a thickness, said bar being supported in the generally rectangular opening so that it has a covered length, and the forward end extends outwardly from the face of the male connector body to provide an extended length and the rearward end extends past the back of the connector body, and a notch is formed in the side of the connector pin in the covered length and the thickness of the connector pin is slightly less than the height of the generally rectangular opening so that there is room for a leaf spring above the covered length of the connector pin beneath the top of the generally rectangular opening; and

a generally rectangular, thin leaf spring having a curved portion overlying the extended length of the male connector pin and at least a portion of the covered length and the thin leaf spring has a covered length including a downwardly extending tab fitted into the notch in the male connector, said male connector pin and said thin leaf spring being positioned so that when the male connector pin is inserted in the female connector opening, the leaf spring abuts and is deflected by the top of the generally rectangular opening of the female connector body whereby the bottom of the male connector pin is pressed against the top of the female connector pin when the male connector pin is inserted into the female connector opening to provide an excellent electrical path between the male and female connector pins.

8. The electrical connector assembly of claim 7 wherein the thin leaf spring is fabricated from beryllium copper.

9. The electrical connector assembly of claim 8 wherein there are two male and two female connector pins.

10. The electrical connector assembly of claim 9 wherein the male and female connector pins are oriented at 90° with respect to each other so that the male and female connector assemblies may only be connected in one way.

\* \* \* \* \*





Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,174,924

**United States Patent and Trademark Office**

Registered July 21, 1998

**TRADEMARK  
PRINCIPAL REGISTER**

**DEANS**

W.S. DEANS CO. (CALIFORNIA CORPORATION)  
7628 JACKSON ST.  
PARAMOUNT, CA 90723

FIRST USE 2-10-1992; IN COMMERCE  
2-10-1992.

FOR: ELECTRICAL CONNECTORS AND  
ELECTRICAL WIRE FOR USE IN REMOTE  
CONTROLLED HOBBY DEVICES, IN CLASS 9  
(U.S. CLS. 21, 23, 26, 36 AND 38).

SER. NO. 75-308,171, FILED 6-13-1997.

CHERYL STEPLIGHT, EXAMINING ATTORNEY

AO 120 (Rev.3/04)

<b>TO: Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court San Diego on the following Patents or Trademarks:

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
05CV1128 JAH (NLS)	May 31, 2005	United States District Court, Southern District of California
PLAINTIFF		DEFENDANT
W.S. Deans Co.; Williams S. Deans		Dymond Modelsport USA Ltd.
<b>PATENT OR TRADEMARK NO.</b>	<b>DATE OF PATENT OR TRADEMARK</b>	<b>HOLDER OF PATENT OR TRADEMARK</b>
1 5,533,915	July 9, 1996	William S. Deans
2 2,174,924	July 21, 1998	W.S. Deans Co.
3		
4		
5		

In the above-entitled case, the following patent(s)/trademark(s) have been included:

DATE INCLUDED	INCLUDED BY		
	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
<b>PATENT OR TRADEMARK NO.</b>	<b>DATE OF PATENT OR TRADEMARK</b>	<b>HOLDER OF PATENT OR TRADEMARK</b>	
1			
2			
3			
4			
5			

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT		
CLERK	(BY) DEPUTY CLERK	DATE

Copy 1 - Upon initiation of action, mail this copy to Director

Copy 3 - Upon termination of action, mail this copy to Director

Copy 2 - Upon filing document adding patent(s), mail this copy to Director

Copy 4 - Case file copy

JS 44 (Rev. 11/04)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**  
 W. S. DEANS CO., a California corporation,  
 WILLIAM S. DEANS, an individual

**(b) County of Residence of First Listed Plaintiff** Orange County, CA  
 (EXCEPT IN U.S. PLAINTIFF CASES)

**(c) Attorney's (Firm Name, Address, and Telephone Number)**  
 (see attachment)

**DEFENDANTS**  
 DYMOND MODELSPORT USA, LTD., a Wisconsin corporation

County of Residence of First Listed Defendant San Diego County, CA  
 (IN U.S. PLAINTIFF CASES ONLY)  
 NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known) JY: JAH (NLS) DEPUTY

**05 CV 1128**

**FILED**  
 05 MAY 31 PM 12:27  
 CLERK U.S. DISTRICT COURT  
 SAN DIEGO DISTRICT OF CALIFORNIA

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

1 U.S. Government Plaintiff

3 Federal Question (U.S. Government Not a Party)

2 U.S. Government Defendant

4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<b>FORFEITURE/PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl.-Ret. Inc. Security Act	<b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

**V. ORIGIN** (Place an "X" in One Box Only)

1 Original Proceeding

2 Removed from State Court

3 Remanded from Appellate Court

4 Reinstated or Reopened

5 Transferred from another district (specify)

6 Multidistrict Litigation

7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
35 USC 271

Brief description of cause:  
Patent Infringement

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

**DEMAND \$** \_\_\_\_\_

**JURY DEMAND:**  Yes  No

**VIII. RELATED CASE(S) IF ANY** (See instructions):

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE 05/27/2005 SIGNATURE OF ATTORNEY OF RECORD Paul Conroy

**FOR OFFICE USE ONLY**

RECEIPT # 114135 AMOUNT 250- APPLYING IFP MS JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

**ATTACHMENT TO CIVIL COVER SHEET**

**1 (c). Plaintiffs**

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