

Kneafsey & Friend LLP
800 Wilshire Blvd, Suite 710
Los Angeles, California 90017

1 KNEAFSEY & FRIEND LLP
SEAN M. KNEAFSEY (SBN 180863)
2 skneafsey@kneafseyfriend.com
SEAN M. KNEAFSEY (SBN 232878)
3 sswiger@kneafseyfriend.com
800 Wilshire Blvd., Suite 710
4 Los Angeles, California 90017
Phone: (213) 892-1200
5 Fax: (213) 892-1208

6 GROSSMAN LAW OFFICES
LEE GROSSMAN (*pro hac vice* application to be filed)
7 lgrossman@grossmanlegal.com
MARK M. GROSSMAN (*pro hac vice* application to be filed)
8 mgrossman@grossmanlegal.com
225 W. Washington Street, Suite 2200
9 Chicago, IL 60606
Phone: (312) 621-9000
10 Fax (312) 621-9001

11 Attorneys for Plaintiff
EBS AUTOMOTIVE SERVICES

12
13 UNITED STATES DISTRICT COURT
14 SOUTHERN DISTRICT OF CALIFORNIA

15 EBS AUTOMOTIVE SERVICES, a Cal. Corp.;

16 Plaintiffs,

17 vs.

18 NORCO INDUSTRIES, INC., dba Flo-
19 Dynamics, a California Corporation; ABF
20 TECHNOLOGIES, INC., a California
Corporation

21 Defendants

'12CV2020 MMAMDD

**COMPLAINT FOR INFRINGEMENT
OF U.S. PATENT NO. 6,206,055**

[Demand for Jury Trial]

22 For its complaint against NORCO INDUSTRIES, INC., dba Flo-Dynamics, (“Flo-
23 Dynamics”), and ABF Technologies, Inc. (“ABF”), which is named as an Involuntary Plaintiff,
24 Plaintiff EBS AUTOMOTIVE SERVICES (“EBS” or “Plaintiff”) and alleges as follows:

25 **JURISDICTION AND VENUE**

26 1. This is a civil action arising in part under laws of the United States relating to
27 patents (35 U.S.C. §§ 271, 281, 283, 284, and 285). This Court has federal jurisdiction of such
28 federal question claims pursuant to 28 U.S.C. §§ 1331 and 1338(a).

1 10. As a direct and proximate result of Flo-Dynamics’ infringement of the ‘055 Patent,
2 EBS has been and continue to be damaged in an amount to be proven at trial.

3 11. Flo-Dynamics’ infringement is ongoing and has caused, and, unless enjoined and
4 restrained by this Court, will continue to cause EBS great and irreparable injury to, among other
5 things, EBS’s good will, business reputation, and market share. EBS is therefore entitled to
6 injunctive relief enjoining and restraining Flo-Dynamics and its respective officers, agents,
7 servants, and employees, and all persons acting in concert with them, and each of them, from
8 further infringement of the ‘055 Patent.

9 **PRAYER FOR RELIEF**

10 WHEREFORE, EBS prays for judgment against Flo-Dynamics as follows:

- 11 (1) For a judicial determination and declaration that Flo-Dynamics has infringed the
- 12 ‘055 Patent;
- 13 (2) For a judicial determination and decree that Flo-Dynamics’ infringement of the
- 14 ‘055 Patent has been willful;
- 15 (3) For damages resulting from Flo-Dynamics’ infringement of the ‘055 Patent, and
- 16 the trebling of such damages because of the willful and deliberate nature of Flo-
- 17 Dynamics’ infringement;
- 18 (4) For injunctive relief enjoining against further infringement of the ‘055 Patent by
- 19 Flo-Dynamics, its officers, directors, shareholders, agents, servants, employees, and
- 20 all other entities and individuals acting in concert with it or on its behalf;
- 21 (5) For an assessment of prejudgment interest on damages;
- 22 (6) For a declaration that this is an exceptional case under 35 U.S.C. Section 285 and
- 23 for an award of attorneys’ fees and costs in this action;
- 24 (7) For such other and further relief as the Court deems just and equitable.

25 DATED: August 16, 2012

KNEAFSEY & FRIEND LLP

26
27 By /s/ Sean M. Kneafsey
Sean M. Kneafsey

28 Attorneys for Plaintiff EBS AUTOMOTIVE SERVICES

Kneafsey & Friend LLP
800 Wishire Blvd, Suite 710
Los Angeles, California 90017

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury of any issue triable by right of a jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

DATED: August 25, 2012

KNEAFSEY & FRIEND LLP

By /s/ Sean M. Kneafsey
Sean M. Kneafsey

Attorneys for Plaintiffs EBS AUTOMOTIVE SERVICES

Kneafsey & Friend LLP
800 Wilshire Blvd, Suite 710
Los Angeles, California 90017

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28