

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**FLOW VALVE, LLC, an Oklahoma
limited liability company,**

Plaintiff,

v.

Case No. 6:13-cv-113-FHS

**(1) FORUM ENERGY
TECHNOLOGIES, INC., a Delaware
corporation,**

AND

**(2) WOOD FLOWLINE
PRODUCTS, LLC, an Oklahoma limited
liability company,**

Defendants.

COMPLAINT

COMES NOW, Plaintiff, Flow Valve, LLC, (“Plaintiff”), by its attorneys, and for its Complaint against Defendants, Forum Energy Technologies, Inc. (“FET”) and Wood Flowline Products, LLC (“WFP”), states and alleges as follows:

Nature of the Action

1. This is an action for patent infringement.

The Parties

2. Plaintiff is an Oklahoma limited liability company having its principal place of business in Sulphur, Oklahoma.

3. Upon information and belief, Defendant FET is a for profit corporation organized under the laws of the state of Delaware, and has its principal place of business in Houston, Texas.

4. Upon information and belief, Defendant WFP is an Oklahoma limited liability company having its principal place of business in Sulphur, Oklahoma.

5. Upon information and belief, Defendant WFP is wholly-owned by its parent company, FET.

Jurisdiction and Venue

6. This Court has subject matter jurisdiction over this action under at least 28 U.S.C. §§ 1338 and 2201.

7. This Court has personal jurisdiction over Defendant WFP because Defendant is a citizen of Oklahoma and committed acts of infringement in Oklahoma.

8. This Court has personal jurisdiction over Defendant FET because Defendant is doing business in Oklahoma, has many economically significant contacts in Oklahoma, and committed acts of infringement in Oklahoma.

9. Venue is appropriate in the Eastern District of Oklahoma, pursuant to 28 U.S.C. § 1391 in that a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in the Eastern District.

Allegations of Fact

10. Plaintiff is the owner of United States Letters Patent 8,215,213 (“the ‘213 patent”), entitled WORKPIECE SUPPORTING ASSEMBLY, which issued on July 10,

2012 and relates to an industrial assembly used by Plaintiff to secure and hold pieces of bent tubing, while the pieces are machined. The pieces thus manufactured in this manner are ultimately assembled into finished products and are sold for use in the oil and gas well completion and production business.

11. Employees of Defendant, who at the time were then partial equity owners of Plaintiff, organized WFP and in the Fall of 2008, left their employment with Plaintiff and assigned their ownership in the Plaintiff limited liability company to the remaining owners of Plaintiff.

12. WFP began operations in the Fall of 2008. It is a direct competitor of Plaintiff in the manufacture and sale of many products.

13. The now former employees and former partial equity owners of Plaintiff who organized and owned Defendant WFP were aware of the invention by Plaintiff of the now patented Supporting Assembly and they were aware of Plaintiff's use of the Supporting Assembly, while they were employees and equity owners in the Plaintiff limited liability company.

COUNT I - PATENT INFRINGEMENT

14. Paragraphs 1-13 above are incorporated herein by reference.

15. WFP infringed the '213 patent-in-suit by making the patented invention several times and then using that patented invention to manufacture products, which it sold and continues to sell.

16. Defendant FET purchased Defendant WFP in February 2011 and WFP is now a wholly-owned subsidiary of FET.

17. Since February 2011, Defendants FET and WFP have infringed and continue to infringe the '213 patent-in-suit by making products embodying the patented invention and using products embodying the patented invention to manufacture other products, which they sold and continue to sell.

18. Defendants will continue to infringe the '213 patent-in-suit, unless enjoined by this Court.

19. Defendants have known about the '213 patent-in-suit since the date of issue, and Defendants have pursued their knowing and willful infringement thereof in flagrant disregard of Plaintiff's rights thereunder.

WHEREFORE, Plaintiff, Flow Valve, LLC, prays for the following relief:

- (a) an injunction against Defendants' continued infringement of the '213 patent;
- (b) an accounting for damages resulting from Defendants' infringement and the trebling of such damages because of the knowing willful and wanton nature of Defendants' conduct;
- (c) an assessment of interest on the damages so computed;
- (d) an award of Plaintiff's attorneys' fees and costs in this action; and
- (e) such other and further relief as this Court may deem just and proper.

PLAINTIFF ASKS FOR A JURY TRIAL

Dated: March 20, 2013

Respectfully submitted,

s/Michael E. Smith

Bill D. McCarthy, OBA #5866

Michael E. Smith, OBA #8385

Phillip L. Free, Jr., OBA #15765

HALL, ESTILL, HARDWICK, GABLE,
GOLDEN & NELSON, P.C.

100 North Broadway, Suite 2900

Oklahoma City, OK 73102-8865

Telephone: (405) 553-2828

Facsimile: (405) 553-2855

bmccarthy@hallestill.com

mesmith@hallestill.com

pfree@hallestill.com

William W. Speed, OBA #19031

George W. Braly, OBA # 1056

BRALY, BRALY, SPEED AND MORRIS

214 West 14th Street

Ada, OK 74820-5828

Telephone: (580) 436-0871

Facsimile: (580) 436-0889

williamspeed@bbsmlaw.com

**ATTORNEYS FOR PLAINTIFF,
FLOW VALVE, LLC**

803338.1:331342:01541