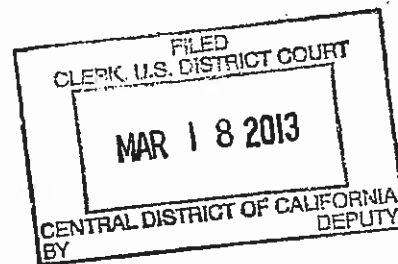


1 Thomas I. Rozsa, State Bar No. 080615  
2 **ROZSA LAW GROUP LC**  
3 18757 Burbank Boulevard, Suite 220  
4 Tarzana, California 91356-3346  
5 Telephone (818) 783-0990  
6 Facsimile (818) 783-0992  
7 Email: [tom@rozsalaw.com]

8 Attorney for Plaintiff  
9 Elite Lighting



10 **UNITED STATES DISTRICT COURT**  
11 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**  
12 **WESTERN DIVISION**

13 Elite Lighting, a California corporation,  
14 Plaintiff,

15 vs.

16 DMF, Inc., a California corporation;  
17 Morteza Danesh, an individual; Fariba  
18 Danesh, an individual; and DOES 1  
19 through 10, Inclusive,

20 Defendants.

Case No. **CV 13-01920** *TL*  
**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

21 COMES NOW Plaintiff Elite Lighting, a California corporation (hereafter  
22 "Elite" or "Plaintiff"), and for its Complaint against DMF, Inc., a California  
23 corporation (hereafter "DMF"); Morteza Danesh, an individual (hereafter "Mr.  
24 Danesh"); and Fariba Danesh, an individual (hereafter "Ms. Danesh"); and DOES  
25 1-10, (DMF, Mr. Danesh, Ms. Danesh and DOES 1-10 are hereafter jointly  
26 referred to as "Defendants"); inclusive, states and alleges as follows:

27 ///

28 ///

///

**NATURE OF THE ACTION, JURISDICTION AND VENUE:**

1           1.     This action arises under the patent laws of the United States, Title 35,  
2     United States Code §§ 101 *et seq.*, particularly in violation of § 271 and under  
3     §§ 282-285.

4           2.     This Court has subject matter jurisdiction under Article 1, Section 8  
5     of the United States Constitution, under 28 U.S.C. § 1331 and 28 U.S.C. § 1338  
6     and the patent laws of the United States, Title 35, United States Code, §§ 101 *et*  
7     *seq.* This Court has supplemental jurisdiction under 38 U.S.C. § 1367.

8           3.     Defendant DMF is subject to the personal jurisdiction of this Court  
9     because it conducts substantial and continuous business in this judicial district and  
10    has its corporate headquarters here. Further, Plaintiff is informed and believes and  
11    based thereon alleges, that DMF has committed acts of patent infringement, and  
12    continues to do so, in this judicial district.

13                Defendant Morteza Danesh is subject to the personal jurisdiction of  
14    this Court because, he is a resident of California and of this judicial district.  
15    Further, Plaintiff is informed and believes and based thereon alleges that he has  
16    committed and/or actively induced the acts of patent infringement complained of  
17    herein, and continues to do so, in this judicial district.

18                Defendant Fariba Danesh is subject to the personal jurisdiction of this  
19    Court because, she is a resident of California and of this judicial district. Further,  
20    Plaintiff is informed and believes and based thereon alleges that he has committed  
21    and/or actively induced the acts of patent infringement complained of herein, and  
22    continues to do so, in this judicial district.

23           4.     The acts and transactions complained of herein were conceived,  
24    carried out, made effective, and had effect within the state of California and within  
25    this district, among other places.

26           5.     This Court has personal jurisdiction over Elite. Elite is the owner by  
27    assignment of the patents-in-suit with the right to enforce infringement of the  
28

1 patents. Elite is transacting substantial business within this judicial district, and  
2 has its corporate headquarters within this judicial district.

3 6. Venue is proper in this judicial district under 28 U.S.C. §§ 1391 and  
4 1400 in that, inter alia, the matters in controversy arise out of the activities  
5 undertaken in this judicial district and Defendants, and each of them, are subject to  
6 the personal jurisdiction of this Court.

### 7 THE PARTIES

8 7. Elite is a California corporation having its principal place of business  
9 at 5424 East Slauson Avenue, Commerce, California 90040, and is doing business  
10 within this judicial district and is the exclusive licensee of the patents-in-suit with  
11 the right to enforce the patents which are the subject of this complaint.

12 8. Elite is informed and believes, and based thereon alleges, that DMF is  
13 a California corporation having its principal place of business at 1118 East 223<sup>rd</sup>  
14 Street, Unit 1, Carson, California 90745 and is doing business within this judicial  
15 district.

16 Elite is informed and believes, and based thereon Elite alleges that  
17 Defendant Morteza Danesh is a Director and Officer of DMF and serves as both  
18 Chief Executive Officer and Chief Financial Officer of DMF. Elite further alleges  
19 on information and belief that Mr. Danesh directs, controls and ratifies the actions  
20 of DMF including the actions, transactions and acts complained of herein. Elite is  
21 also informed and believes, and based thereon alleges, that Mr. Danesh controlled,  
22 dominated, managed, operated and ratified the actions of DMF, including the  
23 actions, transactions and acts complained of herein. Elite is informed and based  
24 thereon alleges, that Mr. Danesh directly made the decisions concerning the  
25 actions, transactions and acts complained of herein, personally participated in  
26 them and/or actively induced them.

27 Elite is informed and believes, and based thereon Elite alleges that  
28 Defendant Fariba Danesh is a Director and Officer of DMF. Elite further alleges

1 on information and belief that Ms. Danesh directs, controls and ratifies the actions  
2 of DMF including the actions, transactions and acts complained of herein. Elite is  
3 also informed and believes, and based thereon alleges, that Ms. Danesh controlled,  
4 dominated, managed, operated and ratified the actions of DMF, including the  
5 actions, transactions and acts complained of herein. Elite is informed and based  
6 thereon alleges, that Ms. Danesh directly made the decisions concerning the  
7 actions, transactions and acts complained of herein, personally participated in  
8 them and/or actively induced them.

9 9. Elite is informed and believes, and based thereon alleges, that certain  
10 individuals named at this time as DOE Defendants (hereafter "Individual  
11 Defendants") and each of them, knowingly and willfully conspired and agreed  
12 among themselves or induced each other to commit the wrongful acts as set forth  
13 hereinafter. These wrongful acts were done pursuant to and in furtherance of this  
14 conspiracy, agreement and/or inducement.

15 10. Elite is ignorant of the true names and capacities of defendants sued  
16 herein as DOES 1 through 10, inclusive, and therefore sues such Defendants by  
17 such fictitious names. Elite will amend the Complaint to allege the true names and  
18 capacities of such fictitiously named Defendants when they are ascertained.

19 11. Elite is informed and believes, and based thereon alleges, that each  
20 Defendant herein sued is, has been, or was the agent, servant, employee and/or  
21 partner of each other and in doing the acts hereinafter alleged is, has been, or was  
22 acting in the course and scope of such agency, servitude, employment and/or  
23 partnership. Each of the Defendants is in some form or manner responsible for the  
24 conduct herein complained of, and Elite's harm and damages are proximately  
25 caused by the conduct of each.

26 ///

27 ///

28 ///

**ELITE'S PATENTS AND SALE OF ELITE'S  
PRODUCTS PROTECTED BY THE PATENTS**

12. Hamid Rashidi (hereafter "Rashidi") is the inventor of United States Utility Patent No. 7,597,460 which issued on October 6, 2009 for "TRI-BAFFLE CEILING FIXTURE REFLECTOR INCLUDING SNAPPER ASSEMBLY" (the " '460 Utility Patent"), a true and correct copy of which is attached hereto as **Exhibit 1** and incorporated herein by reference.

13. Rashidi is the inventor of United States Design Patent No. D551,384 which issued on September 18, 2007 for "ONE-PIECE BAFFLE TRIM FOR RECESSED LIGHT HOUSING" (hereafter the " '384 Design Patent"), a true and correct copy of which is attached hereto as **Exhibit 2** and incorporated herein by reference.

14. The '460 Utility Patent is in full force effect.

15. The '384 Design Patent is in full force and effect.

16. Rashidi is an officer, director and shareholder of Elite.

17. Rashidi granted to Elite an exclusive license effective June 24, 2004 to all patents which were owned by Rashidi while he was and still is an officer, director and shareholder of Elite. The exclusive license includes the grant of rights for Elite to enforce the subject patents and bring suit for any acts of infringement for any of the subject patents including the patents-in-suit, to seek an injunction and to collect damages therefor.

18. Rashidi assigned all right, title and interest in the '460 Utility Patent to Elite Lighting effective February 1, 2013.

19. Rashidi assigned all right, title and interest in the '384 Design Patent to Elite Lighting effective February 1, 2013.

20. Elite has been advertising, promoting, distributing, manufacturing, producing, offering for sale and selling lighting fixtures which are protected by both the '460 Utility Patent and the '384 Design Patent continuously for several

1 years, at least since the date of the issuance of each respective patent. Elite has  
2 placed the patent numbers in its catalog and has marked its product packaging  
3 with the respective patent numbers, therefore putting the world on notice of the  
4 existence of both the '460 Utility Patent and the '384 Design Patent.

5 21. Elite has been selling lighting fixtures which are protected by both  
6 the '460 Utility Patent and the '384 Design Patent including the product Model  
7 730. Photographs of the Model No. B731 lighting fixture and the packaging in  
8 which it is sold are attached hereto as **Exhibit 3** and incorporated herein by  
9 reference evidencing that Elite has been selling its products protected by the  
10 patents-in-suit and that the patents-in-suit have been marked on labels affixed to  
11 the products and on the packaging in which the products are sold. Therefore, Elite  
12 has been in full compliance with marking its products with the appropriate patent  
13 numbers to put the world on notice of the existence of these patents.

#### 14 ACTS OF DEFENDANTS

15 22. Elite has just become aware that Defendants have been offering for  
16 sale a lighting fixture which, on information and belief, is offered for sale in  
17 Defendants' catalog and web page advertisement, advertised as Product Trim No.  
18 D630W-AT-OR-UN.

19 23. Photographs of the Defendants' lighting fixture sold under Trim No.  
20 Trim No. D630W-AT-OR-UN showing the fixture, are attached hereto as  
21 **Exhibit 4** and incorporated herein by reference. Defendants' product labeled Trim  
22 No. D630W-AT-OR-UN is hereafter referred to as the "DMF Infringing Lighting  
23 Fixture". Because DMF copied Elite's patented products, they were able to  
24 expand their product line and have an entire series of additional products that  
25 DMF was able to sell by piggybacking on the sale of products which infringed  
26 Elite's patents.

27 ///

28 ///

**FIRST CAUSE OF ACTION FOR**  
**Patent Infringement of Utility Patent 7,597,460**  
**[35 U.S.C. § 271]**

24. Elite repeats, realleges and reavers all of its allegations contained in the above Paragraphs 1 through 23, inclusive, and incorporates these allegations herein by reference.

25. Elite alleges that Defendants, and each of them, have produced or caused to be produced or induced the production of, imported or caused to be imported or induced the importation of, used or caused to be used or induced the use of, and/or sold or caused to be sold or induced the sale of, the DMF Infringing Lighting Fixture which constitutes direct and/or contributory and/or induced infringement of the '460 Utility Patent.

26. Elite further alleges that Defendants, and each of them, have produced or caused to be produced or induced the production of, imported or caused to be imported or induced the importation of, used or caused to be used or induced the use of, and/or sold or caused to be sold or induced the sale of, the DMF Infringing Lighting Fixture which constitutes infringement under the Doctrine of Equivalents of the '460 Utility Patent.

27. Elite is informed and believes, and based thereon alleges, that in spite of knowing or having reason to know of Elite's '460 Utility Patent, Defendants manufactured, imported, used, sold and/or caused or induced to be manufactured, imported, used or sold the DMF Infringing Lighting Fixture, and Defendants have been and presently are engaged in willful and deliberate infringement of Elite's '460 Utility Patent.

28. Elite is informed and believes, and based thereon alleges, that the individuals who are the controlling parties of Defendant DMF and have been named herein as Mr. Danesh, Ms. Danesh and as DOE Defendants, are principals and decision makers of Defendant DMF and have personally decided, directed,

1 contributed to and induced the infringement activities of the Defendants in  
2 infringing the '460 Utility with actual knowledge of Elite' '460 Utility Patent by  
3 producing, importing, using and selling the DMF Infringing Lighting Fixture.

4 29. Elite is informed and believes, and based thereon alleges, that  
5 Defendants DOES 1 through 10 have also committed direct infringement of Elite's  
6 '460 Utility Patent by producing, importing, using and/or selling the DMF  
7 Infringing Lighting Fixture and/or have contributed to and/or induced the  
8 infringement of Elite's '460 Utility Patent by aiding and abetting the infringement  
9 activities of Defendants. As soon as the identities of these DOE Defendants are  
10 known, Elite will amend its Complaint and substitute the names of these  
11 defendants in place of the DOE Defendants who are currently sued herein as  
12 Defendants DOES 1 through 10.

13 30. Elite is informed and believes, and based thereon alleges, that  
14 Defendants DOES 1 through 10 have also committed infringement under the  
15 Doctrine of Equivalents of Elite's '460 Utility Patent by producing, importing,  
16 using and/or selling the DMF Infringing Lighting Fixture, and/or have contributed  
17 to and/or induced the infringement of Elite's '460 Utility Patent by aiding and  
18 abetting the infringement activities of Defendants. As soon as the identities of  
19 these DOE Defendants are known, Elite will amend its Complaint and substitute  
20 the names of these defendants in place of the DOE Defendants who are currently  
21 sued herein as Defendants DOES 1 through 10.

22 31. By reason of their infringing activities of Elite's '460 Utility Patent,  
23 Defendants have caused monetary damages to Elite in an amount presently  
24 undetermined.

25 32. Elite is informed and believes, and based thereon alleges, that unless  
26 Defendants are enjoined by this Court, Defendants will continue to infringe Elite's  
27 '460 Utility Patent and cause Elite further damages, and Elite has no adequate  
28 remedy at law.



1           33. Elite is informed and believes, and based thereon alleges, that  
2 Defendants acted in bad faith and with willful disregard of the rights of Elite in  
3 having known of Elite's '460 Utility Patent.

4           34. On information and belief, Defendants are continuing to have  
5 manufactured, manufacture, have imported, sold and distributed in the United  
6 States the DMF Infringing Lighting Fixture, or are continuing to cause and/or  
7 induce the same, and are intending to continue to sell such infringing products  
8 unless enjoined by this Court.

9           35. Elite has been continuously selling its lighting fixture as protected by  
10 the '460 Utility Patent in California and in interstate commerce and is continuing  
11 to sell products protected by the '460 Utility Patent to the present date.

12           36. Elite has provided notice to the world by appropriate marking of its  
13 products an in its catalogs of the '460 Utility Patent.

14           37. On information and belief, the DMF Infringing Lighting Fixture and  
15 the comparable lighting fixture sold by Elite are one of a few select lights  
16 currently being sold with the unique features as protected by '460 Utility Patent.  
17 Therefore, the market is substantially between products sold by Elite and by  
18 Defendants.

19           38. As a result of Defendants' infringement of Elite's '460 Utility Patent,  
20 Elite is entitled to receive as damages from Defendants, all profits lost by Elite as  
21 a result of the sales of the DMF Infringing Lighting Fixture. On information and  
22 belief, since these are only some of the few competitors in the market that have the  
23 same features of their respective lights, Elite is entitled to receive from Defendants  
24 all lost profits for all lost sales of Elite. The lost sales can be computed based on  
25 the fact that for every sale of the DMF Infringing Lighting Fixture, Elite would  
26 have sold one of its comparable lighting fixtures and lost profits would have been  
27 realized on each sale.

28           39. At a minimum, Elite is entitled to a reasonable royalty for all sales of

1 the DMF Infringing Lighting Fixture.

2 40. Elite is informed and believes, and based thereon alleges, that unless  
3 Defendants are enjoined by this Court, Defendants will continue to infringe Elite's  
4 '460 Utility Patent and cause Elite further damages, and Elite has no adequate  
5 remedy at law.

6 **SECOND CAUSE OF ACTION FOR**  
7 **Patent Infringement of Design Patent D551,384**

8 **[35 U.S.C. § 271]**

9 41. Elite repeats, realleges and reavers all of its allegations contained in  
10 the above Paragraphs 1 through 23, inclusive, and incorporates these allegations  
11 herein by reference.

12 42. Elite alleges that Defendants, and each of them, have produced or  
13 caused to be produced or induced the production of, imported or caused to be  
14 imported or induced the importation of, used or caused to be used or induced the  
15 use of, and/or sold or caused to be sold or induced the sale of, the DMF Infringing  
16 Lighting Fixture which constitutes direct and/or contributory and/or induced  
17 infringement of the '384 Design Patent.

18 43. Elite further alleges that Defendants, and each of them, have  
19 produced or caused to be produced or induced the production of, imported or  
20 caused to be imported or induced the importation of, used or caused to be used or  
21 induced the use of, and/or sold or caused to be sold or induced the sale of, the  
22 DMF Infringing Lighting Fixture which constitutes infringement under the  
23 Doctrine of Equivalents of the '384 Design Patent.

24 44. Elite is informed and believes, and based thereon alleges, that in spite  
25 of knowing or having reason to know of Elite's '384 Design Patent, Defendants  
26 manufactured, imported, used, sold and/or caused or induced to be manufactured,  
27 imported, used or sold the DMF Infringing Lighting Fixture, and Defendants have  
28 been and presently are engaged in willful and deliberate infringement of Elite's

1 '384 Design Patent.

2 45. Elite is informed and believes, and based thereon alleges, that the  
3 individuals who are the controlling parties of the Defendants and have been named  
4 herein as Mr. Danesh, Ms. Danesh and as DOE Defendants, are principals and  
5 decision makers of Defendants and have personally decided, directed, contributed  
6 to and induced the infringement activities of the Defendants in infringing the '384  
7 Design with actual knowledge of Elite's '384 Design Patent by producing,  
8 importing, using and selling the DMF Infringing Lighting Fixture.

9 46. Elite is informed and believes, and based thereon alleges, that  
10 Defendants DOES 1 through 10 have also committed direct infringement of Elite's  
11 '384 Design Patent by producing, importing, using and/or selling the DMF  
12 Infringing Lighting Fixture and/or have contributed to and/or induced the  
13 infringement of Elite's '384 Design Patent by aiding and abetting the infringement  
14 activities of Defendants. As soon as the identities of these DOE Defendants are  
15 known, Elite will amend its Complaint and substitute the names of these  
16 defendants in place of the DOE Defendants who are currently sued herein as  
17 Defendants DOES 1 through 10.

18 47. Elite is informed and believes, and based thereon alleges, that  
19 Defendants DOES 1 through 10 have also committed infringement under the  
20 Doctrine of Equivalents of Elite's '384 Design Patent by producing, importing,  
21 using and/or selling the DMF Infringing Lighting Fixture and/or have contributed  
22 to and/or induced the infringement of Elite's '384 Design Patent by aiding and  
23 abetting the infringement activities of Defendants. As soon as the identities of  
24 these DOE Defendants are known, Elite will amend its Complaint and substitute  
25 the names of these defendants in place of the DOE Defendants who are currently  
26 sued herein as Defendants DOES 1 through 10.

27 48. By reason of their infringing activities of Elite's '384 Design Patent,  
28 Defendants have caused monetary damages to Elite in an amount presently

1 undetermined.

2 49. Elite is informed and believes, and based thereon alleges, that unless  
3 Defendants are enjoined by this Court, Defendants will continue to infringe Elite's  
4 '384 Design Patent and cause Elite further damages, and Elite have no adequate  
5 remedy at law.

6 50. Elite is informed and believes, and based thereon alleges, that  
7 Defendants acted in bad faith and with willful disregard of the rights of Elite in  
8 having known of Elite's '384 Design Patent.

9 51. On information and belief, Defendants are continuing to have  
10 manufactured, manufacture, have imported, sold and distributed in the United  
11 States the DMF Infringing Lighting Fixture, or are continuing to cause and/or  
12 induce the same, and are intending to continue to sell such infringing products  
13 unless enjoined by this Court.

14 52. Elite has been continuously selling its lighting fixture as protected by  
15 the '384 Design Patent in California and in interstate commerce and is continuing  
16 to sell products protected by the '384 Design Patent to the present date.

17 53. Elite has provided notice to the world by appropriate marking of its  
18 products an in its catalogs of the '384 Design Patent.

19 54. On information and belief, the DMF Infringing Lighting Fixture and  
20 the comparable lighting fixture sold by Elite are one of a few select lights  
21 currently being sold with the unique features as protected by '384 Design Patent.  
22 Therefore, the market is substantially between products sold by Elite and by  
23 Defendants.

24 55. As a result of Defendants' infringement of Elite's '384 Design Patent,  
25 Elite is entitled to receive as damages from Defendants, all profits lost by Elite as  
26 a result of the sales of the DMF Infringing Lighting Fixture. On information and  
27 belief, since these are only some of the few competitors in the market that have the  
28 same features of their respective lights, Elite is entitled to receive from Defendants

1 all lost profits for all lost sales of Elite. The lost sales can be computed based on  
2 the fact that for every sale of the DMF Infringing Lighting Fixture, Elite would  
3 have sold one of its comparable lighting fixtures and lost profits would have been  
4 realized on each sale.

5 56. At a minimum, Elite is entitled to a reasonable royalty for all sales of  
6 the DMF Infringing Lighting Fixture.

7 57. Elite is informed and believes, and based thereon alleges, that unless  
8 Defendants are enjoined by this Court, Defendants will continue to infringe Elite's  
9 '384 Design Patent and cause Elite further damages, and Elite has no adequate  
10 remedy at law.

11 **PRAYER FOR RELIEF**

12 WHEREFORE, Elite prays for judgment against Defendants as follows:

13 1. That this Court adjudge that Elite's '460 Utility Patent is valid and  
14 enforceable;

15 2. That this Court adjudge that Elite's '384 Design Patent is valid and  
16 enforceable;

17 3. That this Court adjudge that Defendants, and each of them, have  
18 infringed Elite's '460 Utility Patent;

19 4. That this Court adjudge that Defendants, and each of them, have  
20 infringed Elite's '384 Design Patent;

21 5. That this Court adjudge that Defendants, and each of them, by virtue  
22 of the production, importation, use and sale of the DMF Infringing Lighting  
23 Fixture have directly infringed, contributed to the infringement of or induced the  
24 infringement of the '460 Utility Patent, and award to Elite all of Elite's lost profits  
25 as a result of such infringement and not less than a reasonable royalty on the sale  
26 of all of Defendants' infringing products resulting from such infringement;

27 6. That this Court adjudge that Defendants, and each of them, by virtue  
28 of the production, importation, use and sale of the DMF Infringing Lighting

1 Fixture have directly infringed, contributed to the infringement of or induced the  
2 infringement of the '460 Utility Patent under the Doctrine of Equivalents and  
3 award to Elite all of Elite's lost profits as a result of such infringement and not less  
4 than a reasonable royalty on the sale of all of Defendants' infringing products  
5 resulting from such infringement;

6 7. That this Court adjudge that Defendants, and each of them, by virtue  
7 of the production, importation, use and sale of the DMF Infringing Lighting  
8 Fixture have directly infringed, contributed to the infringement of or induced the  
9 infringement of the '384 Design Patent, and award to Elite all of Elite's lost profits  
10 as a result of such infringement and not less than a reasonable royalty on the sale  
11 of all of Defendants' infringing products resulting from such infringement;

12 8. That this Court adjudge that Defendants, and each of them, by virtue  
13 of the production, importation, use and sale of the DMF Infringing Lighting  
14 Fixture have directly infringed, contributed to the infringement of or induced the  
15 infringement of the '384 Design Patent under the Doctrine of Equivalents and  
16 award to Elite all of Elite's lost profits as a result of such infringement and not less  
17 than a reasonable royalty on the sale of all of Defendants' infringing products  
18 resulting from such infringement;

19 9. That this Court grant a permanent injunction enjoining Defendants,  
20 and each of them, in this action and all of their officers, agents, servants,  
21 employees, representatives, attorneys, parents, subsidiaries, divisions, and any and  
22 all others in active concert or participation with Defendants in this action, and  
23 each of them from directly or indirectly using or causing the use of any of the  
24 following in connection with advertising, distribution, display, offering for sale, or  
25 providing any products that infringe the '460 Utility Patent.

26 10. That this Court grant a permanent injunction enjoining Defendants,  
27 and each of them, in this action and all of their officers, agents, servants,  
28 employees, representatives, attorneys, parents, subsidiaries, divisions, and any and

1 all others in active concert or participation with Defendants in this action, and  
2 each of them from directly or indirectly using or causing the use of any of the  
3 following in connection with advertising, distribution, display, offering for sale, or  
4 providing any products that infringe the '384 Design Patent.

5 11. That this Court issue a permanent injunction requiring Defendants,  
6 their officers, agents, servants, employees, attorneys, parents, subsidiaries, and  
7 divisions, and those in active concert or participation with them, and each of them,  
8 to deliver up to Defendants within thirty (30) days after entry of such injunction,  
9 all of the DMF Infringing Lighting Fixtures or, in the alternative, provide evidence  
10 of their destruction;

11 12. That this Court order that Defendants retain all records of the sales of  
12 the DMF Infringing Lighting Fixture and not destroy any records of such sales of  
13 the DMF Infringing Lighting Fixture;

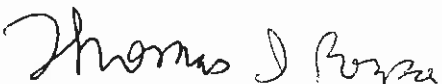
14 13. That this Court award to Elite increased damages against Defendants  
15 to punish Defendants for their malicious and oppressive actions of willful and  
16 deliberate violation of Defendants' patent rights;

17 14. That this Court award to Elite all of its costs and reasonable  
18 attorneys' fees in bringing this action; and

19 15. That this Court award Elite such other and further relief as the Court  
20 may deemed just and proper.

21 **ROZSA LAW GROUP LC**

22  
23 Dated: March 15, 2013

24   
25 Thomas I. Rozsa  
26 18757 Burbank, Suite 220  
27 Tarzana, California 91356-3346  
28 Telephone (818) 783-0990  
Facsimile (818) 783-0992  
tom@rozsasalaw.com

Attorney for Plaintiff  
Elite Lighting

**DEMAND FOR JURY TRIAL**

Elite hereby makes a demand for a jury trial in this case.

**ROZSA LAW GROUP LC**

Dated: March 15, 2013

*Thomas I Rozsa*

Thomas I. Rozsa  
18757 Burbank, Suite 220  
Tarzana, California 91356-3346  
Telephone (818) 783-0990  
Facsimile (818) 783-0992

Attorney for Plaintiff  
Elite Lighting

ROZSA LAW GROUP LC  
ATTORNEYS AT LAW  
18757 BURBANK BOULEVARD, SUITE 220  
TARZANA, CALIFORNIA 91356-3346  
TELEPHONE (818) 783-0990



Name & Address:

Thomas I. Rozsa (SBN 080615)  
ROZSA LAW GROUP LC  
18757 Burbank Boulevard, Suite 220  
Tarzana, CA 91356-3346  
(818) 783-0990

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

Elite Lighting, a California  
corporation,

PLAINTIFF(S)

v.

DMF, Inc., a California corporation,  
Morteza Danesh, an individual;  
Fariba Danesh, an individual; and  
DOES 1 through 10, inclusive,

DEFENDANT(S).

CASE NUMBER

CV13-01920 JC

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ \_\_\_\_\_ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Thomas I. Rozsa, whose address is 18757 Burbank Boulevard, Suite 220, Tarzana, CA 91356-3346. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

MAR 18 2013

Dated: \_\_\_\_\_

Clerk, U.S. District Court

By: JULIE PRADO

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**I. (a) PLAINTIFFS** ( Check box if you are representing yourself ☐ )

Elite Lighting

**DEFENDANTS** ( Check box if you are representing yourself ☐ )

DMF, Inc., Morteza Danesh and Fariba Danesh

**(b) Attorneys** (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

Thomas I. Rozsa - ROZSA LAW GROUP LC  
18757 Burbank Boulevard, Suite 220  
Tarzana, California 91356-3346  
(818) 783-0990

**(b) Attorneys** (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

**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**-For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant)

Citizen of This State

PTF DEF  
☐ 1 ☐ 1

Incorporated or Principal Place of Business in this State

PTF DEF  
☐ 4 ☐ 4

Citizen of Another State

☐ 2 ☐ 2

Incorporated and Principal Place of Business in Another State

☐ 5 ☐ 5

Citizen or Subject of a Foreign Country

☐ 3 ☐ 3

Foreign Nation

☐ 6 ☐ 6

**IV. 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. Multi-District Litigation

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

**CLASS ACTION under F.R.Cv.P. 23:** ☐ Yes ☒ No

☒ **MONEY DEMANDED IN COMPLAINT:** \$ according to proof

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
35 U.S.C. Sections 271 et seq. - Patent Infringement

**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input checked="" type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property		<input type="checkbox"/> 530 General	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument			<input type="checkbox"/> 535 Death Penalty	
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment			<input type="checkbox"/> 540 Mandamus/Other	
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act			<input type="checkbox"/> 550 Civil Rights	
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)			<input type="checkbox"/> 555 Prison Condition	
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits			<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits				
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract				
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability				
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise				
<input type="checkbox"/> 893 Environmental Matters					
<input type="checkbox"/> 895 Freedom of Info. Act					
<input type="checkbox"/> 896 Arbitration					
<input type="checkbox"/> 899 Admn. Procedures Act/Review of Appeal of Agency Decision					
<input type="checkbox"/> 950 Constitutionality of State Statutes					

FOR OFFICE USE ONLY: Case Number: **CV13-01920**

AFTER COMPLETING PAGE 1 OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED ON PAGE 2.



# UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

## CIVIL COVER SHEET

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply)
- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
  - ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
  - ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
  - ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District*	California County outside of this District; State, if other than California; or Foreign Country
Elite Lighting - Los Angeles County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District*	California County outside of this District; State, if other than California; or Foreign Country
DMF, Inc. - Los Angeles County Morteza Danesh - Los Angeles County Fariba Danesh - Los Angeles County	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.  
NOTE: In land condemnation cases, use the location of the tract of land involved.

County in this District*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

\*Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

**X. SIGNATURE OF ATTORNEY (OR SELF-REPRESENTED LITIGANT):** Shirley D. Payne DATE March 18, 2013

Notice to Counsel/Parties: The CV-71 (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. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate Instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935ff(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))