

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

INVUE SECURITY PRODUCTS INC.,

Plaintiff,

-vs.-

**LANGHONG TECHNOLOGY CO., LTD. and
LANGHONG TECHNOLOGY USA INC.,**

Defendants.

Civil Action No. 4:13-cv-457

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff INVUE SECURITY PRODUCTS INC. (hereinafter, “Plaintiff” or “InVue”) files this Complaint against Defendants LANGHONG TECHNOLOGY CO., LTD. and LANGHONG TECHNOLOGY USA INC. (collectively, “Defendants”) and, in support thereof, alleges as follows:

NATURE AND BASIS OF ACTION

1. This is a civil action for the infringement of United States Patent Nos. 7,740,214, 7,629,895, 7,737,843, and 7,710,266 (hereinafter, the “Patents-in-Suit”). This action arises under the patent laws of the United States, 35 U.S.C. § 100, *et seq.*

PARTIES

2. Plaintiff InVue is a corporation organized and existing under the laws of the State of Ohio, having a principal place of business at 15015 Lancaster Highway, Charlotte, North Carolina 28277.

3. Upon information and belief, Defendant Langhong Technology USA Inc. is a corporation organized and existing under the laws of the State of California, having a principal place of business at 3875 Hopyard Rd., Ste. 165, Pleasanton, California 94588.

4. Upon information and belief, Defendant Langhong Technology Co., Ltd. is a foreign corporation organized and existing under the laws of China and having a principal place of business at 2# Building, No. 99, Xinting Rd., Binjiang District, Hangzhou, China.

5. Upon information and belief, either or both Defendants have previously conducted business within the United States while operating as Easysafe Retail Technology, Inc., having a principal place of business at 4637 Chabot Drive, Ste. 260, Pleasanton, California 94588.

JURISDICTION AND VENUE

6. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this case arises under the United States Patent Act, 35 U.S.C. § 100, *et seq.*

7. Upon information and belief, this Court has personal jurisdiction over Defendants under the principles underlying the U.S. Constitution, and under Tex. Civ. Prac. & Rem § 17.042 because Defendants transact business within the State of Texas, solicit and/or contract to supply goods in the State of Texas, have engaged in acts of patent infringement within the State of Texas, and have engaged in acts outside the State of Texas causing injury or damage within the State of Texas, including in this district.

8. More specifically, upon information and belief, Defendants have imported, sold and/or offered for sale products covered by claims of the Patents-in-Suit within the State of Texas, including in this district.

9. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b) and 1400, because Defendants have committed acts of infringement in this district.

BACKGROUND

A. The Patents-In-Suit

10. On June 22, 2010, the United States Patent and Trademark Office (“USPTO”) duly and legally issued United States Patent No. 7,740,214 (“the ’214 Patent”).

11. The ’214 Patent is entitled “Display Having Self-Orienting Mounting Area.”

12. The ’214 Patent names Ronald M. Marsilio and Dennis D. Belden, Jr. as the inventors.

13. The ’214 Patent has been assigned to InVue.

14. On December 8, 2009, the USPTO duly and legally issued United States Patent No. 7,629,895 (“the ’895 Patent”).

15. The ’895 Patent is entitled “Portable Alarming Security Device.”

16. The ’895 Patent names Dennis D. Belden, Jr. and Ronald M. Marsilio as the inventors.

17. The ’895 Patent has been assigned to InVue.

18. On June 15, 2010, the USPTO duly and legally issued United States Patent No. 7,737,843 (“the ’843 Patent”).

19. The ’843 Patent is entitled “Programmable Alarm Module and System for Protecting Merchandise.”

20. The ’843 Patent names Dennis D. Belden, Jr., Ronald M. Marsilio and Ian R. Scott as the inventors.

21. The ’843 Patent has been assigned to InVue.

22. On May 4, 2010, the USPTO duly and legally issued United States Patent No. 7,710,266 (“the ’266 Patent”).

23. The ’266 Patent is entitled “Security System with Product Power Capability.”

24. The ’266 Patent names Dennis D. Belden, Jr., Christopher J. Fawcett and Anthony M. Cupolo as the inventors.

25. The ’266 Patent has been assigned to InVue.

B. Defendant’s Infringing Products

26. Upon information and belief, Defendants are in the business of selling and/or importing merchandise display and security devices.

27. Defendants are engaged in, *inter alia*, the sale for importation into the United States, importation into the United States, and/or sale after importation into the United States of merchandise display and security devices.

28. In particular, upon information and belief, Defendants manufacture, import, sell and/or offer for sale products covered by one or more claims of the Patents-in-Suit, including without limitation, merchandise display and security products identified by Defendants with the following model numbers: H3100, H8000; H8010; L8010; H8020; L8020; H8100; L8100; T8100; H8102; L8102; T8102; H8103; H8105; H8110; L8110; T8110; H8112; L8112; T8112; H8300; H8310; H8403; H8405; H8407; H8409; H8103; H8105; H8400; H8600; H8601; H8700; H8702; H4100; H4110; H7002; H7020; C4000; C4010; C3102, C3103; C3104; C3112; C3113; C3203; C3204; C7000; C7030; C8100; C8110; C8120; C8000; C8010; C8030; (collectively, “the Infringing Products”).

29. Upon information and belief, Defendants are directly and/or indirectly infringing one or more claims of the Patents-in-Suit by importing, selling and/or offering for sale in the United States, and in this judicial district and elsewhere, the Infringing Products.

30. Upon information and belief, Defendants acted without a reasonable basis for believing that Defendants would not be liable for directly infringing one or more claims of the Patents-in-Suit and/or indirectly infringing one or more claims of the Patents-in-Suit.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 7,740,214

31. Plaintiff incorporates herein and realleges, as if fully set forth in this Paragraph, the allegations of the foregoing Paragraphs 1 through 29.

32. Upon information and belief, Defendants have infringed and continue to infringe, directly and/or indirectly, one or more claims of the '214 Patent, either literally or under the doctrine of equivalents, by importing, selling and/or offering for sale in the United States products falling within the scope of one or more claims of the '214 Patent, including without limitation the Infringing Products.

33. Defendants have had actual knowledge of the '214 Patent since at least June 5, 2013, the date on which Defendants were served with the Complaint and Summons in this action.

34. Plaintiff has been damaged by Defendants' past and continuing infringement of the '214 Patent in an amount to be determined at trial.

35. Plaintiff has been and continues to be irreparably injured by Defendants' past and continuing infringement of the '214 Patent, and Defendants' infringing activities will continue unless enjoined by this Court pursuant to 35 U.S.C. § 283.

36. Plaintiff has suffered and continues to suffer monetary damages from Defendants' unauthorized infringement that are compensable under 35 U.S.C. § 284 in an amount to be determined at trial.

37. Defendants' infringement has been and continues to be deliberate, willful, intentional, and with knowledge of the existence of the '214 Patent, and Plaintiff accordingly is entitled to recover enhanced damages pursuant to 35 U.S.C. § 284, as well as its attorneys' fees and other expenses of litigation pursuant to 35 U.S.C. § 285.

COUNT II

INFRINGEMENT OF U.S. PATENT NO. 7,629,895

38. Plaintiff incorporates herein and realleges, as if fully set forth in this Paragraph, the allegations of the foregoing Paragraphs 1 through 36.

39. Upon information and belief, Defendants have infringed and continue to infringe, directly and/or indirectly, one or more claims of the '895 Patent, either literally or under the doctrine of equivalents, by importing, selling and/or offering for sale in the United States products falling within the scope of one or more claims of the '895 Patent, including without limitation the Infringing Products.

40. Defendants have had actual knowledge of the '895 Patent since at least June 5, 2013, the date on which Defendants were served with the Complaint and Summons in this action.

41. Plaintiff has been damaged by Defendants' past and continuing infringement of the '895 Patent in an amount to be determined at trial.

42. Plaintiff has been and continues to be irreparably injured by Defendants' past and continuing infringement of the '895 Patent, and Defendants' infringing activities will continue unless enjoined by this Court pursuant to 35 U.S.C. § 283.

43. Plaintiff has suffered and continues to suffer monetary damages from Defendant's unauthorized infringement that are compensable under 35 U.S.C. § 284 in an amount to be determined at trial.

44. Defendants' infringement has been and continues to be deliberate, willful, intentional, and with knowledge of the existence of the '895 Patent, and Plaintiff accordingly is entitled to recover enhanced damages pursuant to 35 U.S.C. § 284, as well as its attorneys' fees and other expenses of litigation pursuant to 35 U.S.C. § 285.

COUNT III

INFRINGEMENT OF U.S. PATENT NO. 7,737,843

45. Plaintiff incorporates herein and realleges, as if fully set forth in this Paragraph, the allegations of the foregoing Paragraphs 1 through 43.

46. Upon information and belief, Defendants have infringed and continue to infringe, directly and/or indirectly, one or more claims of the '843 Patent, either literally or under the doctrine of equivalents, by importing, selling and/or offering for sale in the United States products falling within the scope of one or more claims of the '843 Patent, including without limitation the Infringing Products.

47. Defendants have had actual knowledge of the '843 Patent since at least June 5, 2013, the date on which Defendants were served with the Complaint and Summons in this action.

48. Plaintiff has been damaged by Defendants' past and continuing infringement of the '843 Patent in an amount to be determined at trial.

49. Plaintiff has been and continues to be irreparably injured by Defendants' past and continuing infringement of the '843 Patent, and Defendants' infringing activities will continue unless enjoined by this Court pursuant to 35 U.S.C. § 283

50. Plaintiff has suffered and continues to suffer monetary damages from Defendants' unauthorized infringement that are compensable under 35 U.S.C. § 284 in an amount to be determined at trial.

51. Defendants' infringement has been and continues to be deliberate, willful, intentional, and with knowledge of the existence of the '843 Patent, and Plaintiff accordingly is entitled to recover enhanced damages pursuant to 35 U.S.C. § 284, as well as its attorneys' fees and other expenses of litigation pursuant to 35 U.S.C. § 285.

COUNT IV

INFRINGEMENT OF U.S. PATENT NO. 7,710,266

52. Plaintiff incorporates herein and realleges, as if fully set forth in this Paragraph, the allegation of the foregoing Paragraphs 1 through 50.

53. Upon information and belief, Defendants have infringed and continue to infringe, directly and/or indirectly one or more claims of the '266 Patent, either literally or under the doctrine of equivalents, by importing, selling and/or offering for sale in the United States products falling within the scope of one or more claims of the '266 Patent, including without limitation the Infringing Products.

54. Defendants have had actual knowledge of the '266 Patent since at least June 5, 2013, the date on which Defendants were served with the Complaint and Summons in this action.

55. Upon information and belief, Defendants have actively induced others to infringe and/or contributorily infringed one or more claims of the '266 Patent. Specifically, upon information and belief, Defendants encourage and facilitate the use of the Infringing Products and certain accessory components by their customers in a manner which is known and intended by Defendants to infringe the '266 Patent.

56. Plaintiff has been damaged by Defendants' past and continuing infringement of the '266 Patent in an amount to be determined at trial.

57. Plaintiff has been and continues to be irreparably injured by Defendants' past and continuing infringement of the '266 Patent, and Defendants' infringing activities will continue unless enjoined by this Court pursuant to 35 U.S.C. § 283.

58. Plaintiff has suffered and continues to suffer monetary damages from Defendants' unauthorized infringement that are compensable under 35 U.S.C. §284 in an amount to be determined at trial.

59. Defendants' infringement has been and continues to be deliberate, willful, intentional, and with knowledge of the existence of the '266 Patent, and Plaintiff accordingly is entitled to recover enhanced damages pursuant to 35 U.S.C. § 284, as well as its attorneys' fees and other expenses of litigation pursuant to 35 U.S.C. § 285.

JURY DEMAND

Plaintiff demands a trial by jury of all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment against Defendants and their subsidiaries, successors, parents, affiliates, officers, directors, agents, servants, employees, and all persons in active concert or participation, granting the following relief:

A. Enter judgment that Defendants have directly and/or indirectly infringed the Patents-in-Suit and that Defendants infringement has been willful;

B. Permanently enjoin Defendants, and all those in active concert or participation with them, from directly and indirectly infringing the Patents-in-Suit, pursuant to 35 U.S.C. § 283;

C. Award Plaintiff damages in an amount to be proved at trial that will adequately compensate Plaintiff for Defendants' infringement, but under no circumstances an amount less than a reasonable royalty, as authorized by 35 U.S.C. § 284;

D. Increase the damages sustained by Plaintiff up to three times the amount of their actual damages, as authorized by 35 U.S.C. § 284;

E. Find that this is an exceptional case and award Plaintiff its attorneys' fees and other expenses of litigation pursuant to 35 U.S.C. § 285;

F. Award Plaintiffs prejudgment interest and costs pursuant to 35 U.S.C. § 284; and

G. Grant such other, different, and additional relief as the Court deems just and proper.

Dated: June 5, 2013

Respectfully submitted,

/s/Jason W. Cook

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