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Of Attorneys for Plaintiff Furuno Electric Co., Ltd.

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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

CV'11-1196 AC,
Case No. _____

FURUNO ELECTRIC CO., LTD.,

Plaintiff,

**COMPLAINT FOR PATENT
INFRINGEMENT**

vs.

JURY TRIAL DEMANDED

**HONEYWELL INTERNATIONAL INC.
and SKYFORCE AVIONICS LTD,**

Defendants.

Plaintiff Furuno Electric Co., Ltd. files this complaint against Defendants Honeywell International Inc. and Skyforce Avionics Ltd:

THE PARTIES

1. Furuno Electric Co., Ltd. ("FEC") is a Japanese corporation with a principal place of business at 9-52 Ashihara-cho, Nishinomiya City, Hyogo, 662-8580 Japan.

2. Upon information and belief, Defendant Honeywell International Inc. ("Honeywell") is a Delaware corporation with a principal place of business at 101 Columbia Road, Morristown, New Jersey 07960.

3. Upon information and belief, Defendant Skyforce Avionics Ltd ("Skyforce"), a subsidiary of Honeywell, is a United Kingdom limited liability company with a principal place of business at 5 The Old Granary, Boxgrove, Chichester, West Sussex, PO18 OES UK.

JURISDICTION AND VENUE

4. This lawsuit is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1 et seq. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338.

#43015

5. Honeywell and Skyforce (collectively, "Defendants") are subject to personal jurisdiction in this Court because, on information and belief, they do and have done substantial business in this judicial District, including: (i) committing acts of patent infringement and/or contributing to or inducing acts of patent infringement by others in this District and elsewhere in the United States; and (ii) regularly doing business or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from products and/or services provided to individuals in this District.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b) because Defendants regularly conduct business in this judicial District and/or because certain of the acts complained of herein occurred in this judicial District.

7. FEC's subsidiary in the United States is Furuno U.S.A., Inc. ("FUSA"), which is a Washington corporation with a principal place of business at 4400 N.W. Pacific Rim Boulevard, Camas, WA 98607. FUSA's activities, which include sales, maintenance and repair of FEC products, are essential to FEC's operations in the United States. Accordingly, FUSA's proximity to this District makes it a convenient forum.

THE PATENTS IN SUIT

8. On July 4, 2000, the United States Patent & Trademark Office ("USPTO") issued U.S. Patent No. 6,084,565 titled "Image Monitoring Apparatus" (hereinafter "the '565 patent"). A true and correct copy of the '565 patent is attached hereto as Exhibit A.

9. On August 8, 2006, the USPTO issued U.S. Patent No. 7,089,094 titled "Vehicle Information Display Apparatus" (hereinafter "the '094 patent"). A true and correct copy of the '094 patent is attached hereto as Exhibit B.

10. On August 26, 2006, the USPTO issued U.S. Patent No. 7,095,367 titled "Network System For Onboard Equipment" (hereinafter "the '367 patent"). A true and correct copy of the '367 patent is attached hereto as Exhibit C.

11. On January 9, 2007, the USPTO issued U.S. Patent No. 7,161,561 titled "Display System" (hereinafter "the '561 patent"). A true and correct copy of the '561 patent is attached hereto as Exhibit D.

12. The '565 patent, '094 patent, '367 patent, and '561 patent are henceforth referred to as the "patents-in-suit."

13. FEC is the owner of all right, title, and interest in and to each of the patents-in-suit with full and exclusive right to bring suit to enforce each patent, including the right to recover for past infringement.

COUNT I

INFRINGEMENT OF THE '565 PATENT

14. FEC realleges and incorporates herein the allegations of the preceding paragraphs of this Complaint as if fully set forth herein.

15. Upon information and belief, in violation of 35 U.S.C. § 271, Defendants have infringed and are continuing to infringe, literally and/or under the doctrine of equivalents, the '565 patent by practicing one or more claims of the '565 patent in the manufacture, use, offering for sale, sale, and/or importation of aviation navigation devices including, but not limited to, the Bendix/King by Honeywell AV8OR series, Honeywell Primus Epic products and the Honeywell Skyforce Sentinel helicopter avionics products. FEC reserves its right to contend that additional aviation navigation devices manufactured by Defendants infringe the '565 patent.

16. Upon information and belief, in violation of 35 U.S.C. § 271, Defendants have infringed and are continuing to infringe the '565 patent by contributing to and/or actively inducing the infringement by others of the '565 patent by the manufacture, use, offering for sale, sale, and/or importation of aviation navigation devices including, but not limited to, the Bendix/King by Honeywell AV8OR series, Honeywell Primus Epic products and the Honeywell Skyforce Sentinel helicopter avionics products, and which are especially adapted

for infringing the '565 patent. FEC reserves its right to contend that aviation navigation units manufactured by Defendants indirectly infringe the '565 patent. Upon information and belief, Defendants further actively induce others, including users of aviation navigation units manufactured by Defendants, to infringe the '565 patent through the sale of aviation navigation units manufactured by Defendants to customers along with directions, demonstrations, guides, and/or manuals that encourage the infringing use of the aviation navigation units manufactured by Defendants. Upon information and belief, Defendants knew or should have known their actions would cause direct infringement of the '565 patent and did so with intent to encourage direct infringement.

17. Upon information and belief, Defendants' infringement of the '565 patent has been, and continues to be, willful, deliberate, and intentional.

18. Upon information and belief, Defendants' acts of infringement of the '565 patent will continue after service of this complaint unless enjoined by the Court.

19. As a result of Defendants' infringement, FEC has suffered and will suffer damages.

20. FEC is entitled to recover from Defendants the damages sustained by FEC as a result of Defendants' wrongful acts in an amount subject to proof at trial.

21. Unless Defendants are enjoined by this Court from continuing their infringement of the '565 patent, FEC will suffer additional irreparable harm and impairment of the value of their patent rights. Thus, FEC is entitled to a preliminary and permanent injunction against further infringement.

COUNT II

INFRINGEMENT OF THE '094 PATENT

22. FEC realleges and incorporates herein the allegations of the preceding paragraphs of this Complaint as if fully set forth herein.

23. Upon information and belief, in violation of 35 U.S.C. § 271, Defendants have infringed and are continuing to infringe, literally and/or under the doctrine of equivalents, the '094 patent by practicing one or more claims of the '094 patent in the manufacture, use, offering for sale, sale, and/or importation of vehicle display devices including, but not limited to, the Honeywell Skyforce Observer products. FEC reserves its right to contend that additional vehicle display devices manufactured by Defendants infringe the '094 patent.

24. Upon information and belief, in violation of 35 U.S.C. § 271, Defendants have infringed and are continuing to infringe the '094 patent by contributing to and/or actively inducing the infringement by others of the '094 patent by the manufacture, use, offering for sale, sale, and/or importation of vehicle display devices including, but not limited to, the Honeywell Skyforce Observer products, and which are especially adapted for infringing the '094 patent. FEC reserve its right to contend that vehicle display units manufactured by Defendants indirectly infringe the '094 patent. Upon information and belief, Defendants further actively induce others, including users of vehicle display units manufactured by Defendants, to infringe the '094 patent through the sale of vehicle display units manufactured by Defendants to customers along with directions, demonstrations, guides, and/or manuals that encourage the infringing use of the vehicle display units manufactured by Defendants. Upon information and belief, Defendants knew or should have known their actions would cause direct infringement of the '094 patent and did so with intent to encourage direct infringement.

25. Upon information and belief, Defendants' infringement of the '094 patent has been, and continues to be, willful, deliberate, and intentional.

26. Upon information and belief, Defendants' acts of infringement of the '094 patent will continue after service of this Complaint unless enjoined by the Court.

27. As a result of Defendants' infringement, FEC has suffered and will suffer damages.

28. FEC is entitled to recover from Defendants the damages sustained by FEC as a result of Defendants' wrongful acts in an amount subject to proof at trial.

29. Unless Defendants are enjoined by this Court from continuing their infringement of the '094 patent, FEC will suffer additional irreparable harm and impairment of the value of their patent rights. Thus, FEC is entitled to a preliminary and permanent injunction against further infringement.

COUNT III

INFRINGEMENT OF THE '367 PATENT

30. FEC realleges and incorporates herein the allegations of the preceding paragraphs of this Complaint as if fully set forth herein.

31. Upon information and belief, in violation of 35 U.S.C. § 271, Defendants have infringed and are continuing to infringe, literally and/or under the doctrine of equivalents, the '367 patent by practicing one or more claims of the '367 patent in the manufacture, use, offering for sale, sale, and/or importation of networking devices including, but not limited to, the Honeywell Primus Epic products and the Honeywell Skyforce Sentinel products. FEC reserves its right to contend that additional networking devices manufactured by Defendants infringe the '367 patent.

32. Upon information and belief, in violation of 35 U.S.C. § 271, Defendants have infringed and are continuing to infringe the '367 patent by contributing to and/or actively inducing the infringement by others of the '367 patent by the manufacture, use, offering for sale, sale, and/or importation of networking devices including, but not limited to, the Honeywell Primus Epic products and Honeywell Skyforce Sentinel products, and which are especially adapted for infringing the '367 patent. FEC reserves its right to contend that networking units manufactured by Defendants indirectly infringe the '367 patent. Upon information and belief, Defendants further actively induce others, including users of networking units manufactured by Defendants, to infringe the '367 patent through the sale of networking units manufactured by Defendants to customers along with directions, demonstrations, guides, and/or manuals that encourage the infringing use of the networking

units manufactured by Defendants. Upon information and belief, Defendants knew or should have known their actions would cause direct infringement of the '367 patent and did so with intent to encourage direct infringement.

33. Upon information and belief, Defendants' infringement of the '367 patent has been, and continues to be, willful, deliberate, and intentional.

34. Upon information and belief, Defendants' acts of infringement of the '367 patent will continue after service of this complaint unless enjoined by the Court.

35. As a result of Defendants' infringement, FEC has suffered and will suffer damages.

36. FEC is entitled to recover from Defendants the damages sustained by FEC as a result of Defendants' wrongful acts in an amount subject to proof at trial.

37. Unless Defendants are enjoined by this Court from continuing their infringement of the '367 patent, FEC will suffer additional irreparable harm and impairment of the value of their patent rights. Thus, FEC is entitled to a preliminary and permanent injunction against further infringement.

COUNT IV

INFRINGEMENT OF THE '561 PATENT

38. FEC realleges and incorporates herein the allegations of the preceding paragraphs of this Complaint as if fully set forth herein.

39. Upon information and belief, in violation of 35 U.S.C. § 271, Honeywell has infringed and is continuing to infringe, literally and/or under the doctrine of equivalents, the '561 patent by practicing one or more claims of the '561 patent in the manufacture, use, offering for sale, sale, and/or importation of vehicle display devices including, but not limited to, the Honeywell Primus Epic products. FEC reserves its right to contend that additional vehicle display devices manufactured by Honeywell infringe the '561 patent.

40. Upon information and belief, in violation of 35 U.S.C. § 271, Honeywell has infringed and is continuing to infringe the '561 patent by contributing to and/or actively inducing the infringement by others of the '561 patent by the manufacture, use, offering for sale, sale, and/or importation of vehicle display devices including, but not limited to, the Honeywell Primus Epic products, and which are especially adapted for infringing the '561 patent. FEC reserves its right to contend that vehicle display units manufactured by Honeywell indirectly infringe the '561 patent. Upon information and belief, Honeywell further actively induces others, including users of vehicle display units manufactured by Honeywell, to infringe the '561 patent through the sale of vehicle display units manufactured by Honeywell to customers along with directions, demonstrations, guides, and/or manuals that encourage the infringing use of the vehicle display units manufactured by Honeywell. Upon information and belief, Honeywell knew or should have known its actions would cause direct infringement of the '561 patent and did so with intent to encourage direct infringement.

41. Upon information and belief, Honeywell's infringement of the '561 patent has been, and continues to be, willful, deliberate, and intentional.

42. Upon information and belief, Honeywell's acts of infringement of the '561 patent will continue after service of this Complaint unless enjoined by the Court.

43. As a result of Honeywell's infringement, FEC has suffered and will suffer damages.

44. FEC is entitled to recover from Honeywell the damages sustained by FEC as a result of Honeywell's wrongful acts in an amount subject to proof at trial.

45. Unless Honeywell is enjoined by this Court from continuing its infringement of the '561 patent, FEC will suffer additional irreparable harm and impairment of the value of their patent rights. Thus, FEC is entitled to a preliminary and permanent injunction against further infringement.

PRAYER FOR RELIEF

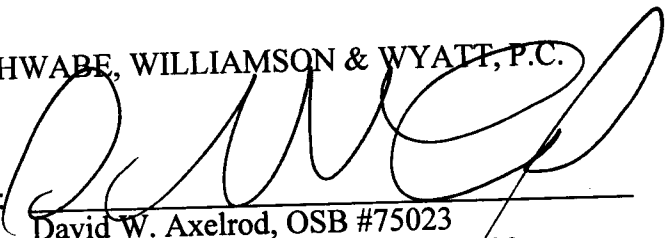
WHEREFORE, FEC prays for the following relief:

- (a) That Honeywell be ordered to pay damages adequate to compensate FEC for Honeywell's infringement of each of the patents-in-suit pursuant to 35 U.S.C. § 284;
 - (b) That Skyforce be ordered to pay damages adequate to compensate FEC for Skyforce's infringement of the '565, '094, and '367 patents pursuant to 35 U.S.C. § 284;
 - (c) That Honeywell be ordered to pay treble damages for willful infringement of each of the patents-in-suit pursuant to 35 U.S.C. § 284;
 - (d) That Skyforce be ordered to pay treble damages for willful infringement of the '565, '094, and '367 patents pursuant to 35 U.S.C. § 284;
 - (e) That Defendants be ordered to pay attorneys' fees pursuant to 35 U.S.C. § 285 for their infringement;
 - (f) That Defendants, their officers, agents, servants, employees, and those persons acting in active concert or in participation with them be enjoined from further infringement pursuant to 35 U.S.C. § 283;
 - (g) That Defendants be ordered to pay prejudgment interest;
 - (h) That Defendants be ordered to pay all costs associated with this action;
- and
- (i) That FEC be granted such other and additional relief as the Court deems just and proper.

Dated this 30th day of September, 2011.

SCHWABE, WILLIAMSON & WYATT, P.C.

By:



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Of Attorneys for Plaintiff, FURUNO
ELECTRIC CO., LTD.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby demands a trial by jury as to all issues so triable.

Dated this 30th day of September, 2011.

SCHWABE, WILLIAMSON & WYATT, P.C.

By: 

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