UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

RUUD LIGHTING, INC., Plaintiff, v. COOPER LIGHTING, LLC, Defendant.	Civil Action No. 12-515 **JURY TRIAL DEMANDED**

COMPLAINT FOR PATENT INFRINGEMENT

NOW COMES Plaintiff, RUUD LIGHTING, INC. ("Ruud"), and complains of Defendant, COOPER LIGHTING, LLC ("Cooper"), as follows:

Parties

1. Plaintiff, Ruud, was incorporated under the laws of the State of Wisconsin in 1982 and is in good standing. Ruud's principal place of business is at 9201 Washington Avenue, Racine, Wisconsin.

2. On information and belief, Defendant, Cooper, is a Delaware limited liability corporation with its principal place of business at 1121 Highway 74 South, Peachtree City, Georgia.

Jurisdiction and Venue

3. This action arises under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, including without limitation 35 U.S.C. §§ 271 and 281. This Court has exclusive jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

4. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1400(b) because infringement by Cooper has occurred in this district. Venue is also proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and 1391(c) since a substantial part of the events giving rise to the claims occurred in this district, and Cooper does or has done business in this district and is subject to personal jurisdiction in this district.

Background

Ruud's Business

5. Ruud has long been and is currently engaged in the manufacture and sale of industrial lighting products and conducts business throughout the United States and elsewhere.

6. Kurt Wilcox, Steven R. Walczak, Steven J. Patkus and Alan J. Ruud, working for Ruud, invented a unique modular LED unit and, with respect to such invention, on September 25, 2007, filed with the USPTO a patent application (Serial No. 11/860,843) ("the '843 application"), which was a continuation-in-part of application Serial No. 11/541,905 (now abandoned).

7. The '843 application matured into United States Patent No. 7,952,262, titled "Modular LED Unit Incorporating Interconnected Heat Sinks Configured To Mount and Hold Adjacent LED Modules," which issued on May 31, 2011 ("the '262 Patent") (Exhibit 1). The '262 Patent is assigned to Ruud and Ruud owns and has all right, title and interest in and to the '262 Patent. The Ruud '262 Patent is valid and subsisting.

8. Ruud has standing to sue for infringement of the '262 Patent.

9. Since prior to the events complained of herein, Ruud has manufactured and sold numerous LED products based on the inventions of the '262 Patent for roadway, area and street lighting applications, including certain of Ruud's The Edge® LED Floodlight lighting products. Ruud has fully complied with the marking requirements of 35 U.S.C. § 287, including, without

limitation, by placing the patent number on its lighting products or by otherwise providing notice of infringement to Cooper. The Ruud LED products based on the inventions of the '262 Patent have enjoyed tremendous commercial success.

Cooper's Business

10. Cooper is in the business of designing, manufacturing and selling lighting products throughout the United States, including in this judicial district.

11. Cooper offers for sale and sells a product known as its "Generation Series LED Post Top Luminaire" which infringes claims of the '262 Patent.

12. Cooper has made, offered for sale and sold, and continues to make, offer for sale and sell the infringing "Generation Series LED Post Top Luminaire" product throughout the United States, including within this judicial district.

13. On information and belief, Cooper also had knowledge of Ruud's '262 Patent beginning before its issuance and still proceeded to prepare for and commence infringement of the '262 Patent, and continued to do so after issuance of the Patent. On information and belief, Cooper's infringement of the '262 Patent is intentional.

COUNT I
DIRECT INFRINGEMENT OF RUUD'S '262 PATENT

14. Paragraphs 1-13 are realleged and incorporated by reference as if fully set forth herein.

15. Cooper has infringed claims of the '262 Patent at least by making, using, selling or offering to sell products which include Cooper's Generation Series LED Post Top luminaire product. Such conduct by Cooper is without Ruud's consent.

16. Such conduct by Cooper constitutes direct patent infringement, such infringement being literal and/or under the doctrine of equivalents, in violation of 35 U.S.C. § 271(a).

17. Ruud has been and continues to be irreparably harmed, and has suffered and continues to suffer damages, by Cooper's infringement of the '262 Patent. Ruud is entitled to recover damages adequate to compensate it for the infringement that has occurred in an amount to be determined at trial.

18. Ruud will continue to be harmed and damaged until Cooper is enjoined from such direct infringement of the '262 Patent by the Court.

COUNT II
INDUCEMENT OF INFRINGEMENT OF '262 PATENT

19. Paragraphs 1-18 are realleged and incorporated by reference as if fully set forth herein.

20. Cooper has infringed claims of the '262 Patent at least by inducing, aiding and abetting or encouraging the infringement by others by their offering to sell, selling and/or using products which include Cooper's Generation Series LED Post Top luminaire product. Such conduct by Cooper is without Ruud's consent and continues in violation of 35 U.S.C. § 271(b).

21. Ruud has been and continues to be irreparably harmed, and has suffered and continues to suffer damages, by such infringement. Ruud is entitled to recover damages adequate to compensate it for the inducement of infringement of the '262 Patent that has occurred in an amount to be determined at trial.

22. Ruud will continue to be harmed and damaged until Cooper is enjoined from such inducement of infringement of the '262 Patent by the Court.

Request for Relief

WHEREFORE, Plaintiff, Ruud Lighting, Inc., prays that this Court enter judgment in its favor and against Defendant, Cooper Lighting, LLC, and its subsidiaries, successors, parents, affiliates, officers, directors, agents, servants, and employees as follows:

A. An entry of judgment in favor of Ruud and against Cooper that Cooper willfully infringes the ‘262 Patent;

B. A permanent injunction against further infringement of the ‘262 Patent by Cooper and all persons in active concert or participation with it pursuant to 35 U.S.C. § 283;

C. An award of damages adequate to compensate Ruud for Cooper’s willful infringement together with prejudgment interest from the date infringement began, but in no event less than a reasonable royalty;

D. An award of any other damages permitted under 35 U.S.C. §§ 284 and 285; and

E. Such other and further relief as this Court or a jury may deem just and proper.

Jury Demand

Ruud requests a trial by jury.

DATED: May 23, 2012

s/ *Christopher G. Hanewicz*

John S. Skilton, Bar No. 1012794
JSkilton@perkinscoie.com
Christopher G. Hanewicz, Bar No. 1034160
CHanewicz@perkinscoie.com
Michelle M. Umberger, Bar No. 1023801
MUmberger@perkinscoie.com
Gabrielle E. Bina, Bar No. 1041749
GBina@perkinscoie.com
Autumn N. Nero, Bar No. 1060065
ANero@perkinscoie.com
Perkins Coie LLP
One East Main Street
Suite 201
Madison, WI 53703-5118
Telephone: 608.663.7460
Facsimile: 608.663.7499

Rodger K. Carreyn, CA Bar No. 210432
RCarreyn@perkinscoie.com
Perkins Coie LLP
1888 Century Park E.
Suite 1700
Los Angeles, CA 90067-1721
Telephone: 310-788-990
Facsimile: 31-788-3399

Attorneys for Plaintiff
Ruud Lighting, Inc.