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15 Attorneys for Plaintiff
16 YUAN MEI CORPORATION

17 UNITED STATES DISTRICT COURT
18 SOUTHERN DISTRICT OF CALIFORNIA

19 YUAN MEI CORPORATION,
20 Plaintiff,
21 v.
22 LUBECKI TECHNICAL HOLDINGS,
23 INC.,
24 Defendant.

Case No. '12CV2806 WQHKSC
COMPLAINT
JURY TRIAL DEMANDED

25 Plaintiff Yuan Mei Corporation (“Yuan Mei”) for its Complaint against
26 Defendant Lubecki Technical Holdings, Inc. (“Lubecki Holdings”) avers as follows:
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1 **PARTIES**

2 1. Yuan Mei is a Taiwanese corporation with its principal place of business in
3 Chunghua Hsien, Taiwan.

4 2. Lubecki Holdings is a corporation with its principal place of business at 435
5 St. Valier, Granby, Quebec, Canada, J2G 8Y4.

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7 **JURISDICTION**

8 3. This is a civil action for patent infringement arising under the patent laws of
9 the United States of America, 35 U.S.C. § 1, et seq.

10 4. This Court has jurisdiction over the subject matter of the Complaint pursuant
11 to 28 U.S.C. §§1331 & 1338.

12 5. This Court has personal jurisdiction over Lubecki Holdings because, on
13 information and belief, Lubecki Holdings is engaged in substantial and regular business in
14 the State of California, has purposefully directed substantial ongoing efforts to sell the
15 infringing products in the Southern District of California, and is actively selling the
16 infringing products in the State of California.

17 6. Venue is proper under 28 U.S.C. §§1391(b) and (c) and 1400(b).

18
19 **BACKGROUND**

20 7. Yuan Mei manufactures, markets, and sells a wide range of different types of
21 water sprinklers, including various gun type sprinklers that attach to a hose and spray the
22 water in a variety of different patterns. Among these are various sprinkler models that
23 include a reservoir for a fluid that can be introduced into the water stream in a controlled
24 manner.

25 8. On April 27, 2004, United States Patent No. 6,726,123 (the ‘123 patent), on
26 an invention entitled “Operating/Controlling Structure of Detergent-Mixable Sprinkling
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1 Gun,” was duly and legally issued by the United States Patent and Trademark Office. A
2 copy of the ‘123 patent is attached hereto as Exhibit A.

3 9. Yuan Mei has been at all times, and still is, the owner of the entire right, title
4 and interest in and to the ‘123 patent.

5 10. Lubecki Holdings, through its Plastair division, makes, imports, uses, sells
6 and/or offers to sell throughout the United States various sprinkling guns described as
7 “All-Purpose Dispenser Nozzle,” including at least Models WN-APD-3 and WN-APD-4.

8 11. Lubecki Holdings’ All-Purpose Dispenser Nozzle products infringe one or
9 more of the claims in the ‘123 patent in the United States within the meaning of 35 U.S.C.
10 §271.

11
12 **FIRST CAUSE OF ACTION**

13 **(Infringement of the ‘123 Patent)**

14 12. Yuan Mei realleges and incorporates the previous paragraphs of this
15 Complaint as though set forth in full herein.

16 13. Lubecki Holdings has made, used, offered for sale, sold, and/or imported
17 into the United States products, including at least the All-Purpose Dispenser Nozzle, which
18 literally and under the doctrine of equivalents infringes one or more claims of the ‘123
19 patent in violation of 35 U.S.C. §271.

20 14. Yuan Mei has been damaged and has suffered irreparable injury due to acts
21 of infringement by Lubecki Holdings and will continue to suffer irreparable injury unless
22 Lubecki Holdings’ activities are enjoined.

23 15. Yuan Mei has suffered and will continue to suffer substantial damages by
24 reason of Lubecki Holdings’ acts of patent infringement alleged above, and Yuan Mei is
25 entitled to recover from Lubecki Holdings the damages sustained as a result of Lubecki
26 Holdings’ acts.

