

JURISDICTION AND VENUE

4. This is an action for patent infringement under the Patent Laws of the United States, 35 U.S.C. § 271.

5. This court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. This Court has personal jurisdiction over Honda. On information and belief, Honda, either directly or through intermediaries, regularly sells products and services into this judicial district and manufactures products intended to be sold and in fact sold into and within this judicial district. Additionally, on information and belief, this Court has personal jurisdiction over Honda because Honda has committed, aided, abetted, contributed to, induced, and/or participated in the commission of acts within this judicial district giving rise to this action.

7. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b) and 1400 (b).

SUMMARY

8. Dr. David Breed is one of the leading inventors in the field of automotive technology in the world today.

9. Dr. Breed is an inventor on more than 300 United States patents relating to automotive technologies, including airbags, navigation systems, vehicle diagnostics, crash sensors, vehicle communications, systems monitoring, theft protection, and collision avoidance.

10. Dr. Breed has a Ph.D. in Mechanical Engineering from Columbia University as well as Bachelors' and Masters' degrees from the Massachusetts Institute of Technology.

11. Dr. Breed has received the National Highway Traffic Safety Administration's Award for Safety Engineering and the prestigious H.H. Bliss award for his contributions to the development of the airbag.

12. Dr. Breed is a member of the Tau Beta Pi and Pi Tau Sigma engineering honors societies and has published numerous peer-reviewed articles.

COUNT I: INFRINGEMENT OF U.S. PATENT NO. 8,041,483

13. AVS incorporates the foregoing paragraphs as if fully set forth here.

14. On October 18, 2011, the USPTO duly and legally issued United States Patent No. 8,041,483 B2 (“the ‘483 Patent”), entitled “Exterior Airbag Deployment Techniques.” AVS owns the ‘483 Patent and holds the right to sue and recover damages for infringement thereof.

15. On information and belief, Honda has been and now is directly infringing, and/or inducing infringement by others, and/or contributing to the infringement by others of the ‘483 Patent in the state of Texas, in this judicial district, and elsewhere within the United States by, among other things, making, using, offering for sale, selling, or importing vehicles, including Acura-branded vehicles, that include anticipatory crash systems, including but not limited to Collision Mitigation Braking System, and similar systems that infringe or the use of which infringe one or more claims of the ‘483 Patent, all to the injury of AVS. Honda is thus liable for infringement of the ‘483 Patent pursuant to 35 U.S.C. § 271.

16. As a result of Honda’s infringement of the ‘483 Patent, Honda has damaged AVS. Honda is liable to AVS in an amount to be determined at trial that adequately compensates AVS for the infringement, which by law can be no less than a reasonable royalty.

17. AVS intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding relative to pre-suit infringement and/or post-suit infringement of the '483 Patent.

18. As a result of Honda's infringement of the '483 Patent, AVS has suffered and will continue to suffer loss and injury unless Honda is enjoined by this Court.

19. At least as early as its receipt of the Complaint, Honda has had knowledge of the '483 Patent and written notice of the infringement.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff AVS pray for the following relief:

20. A judgment in favor of AVS that Defendants have infringed, as alleged in the above Counts, AVS' '483 patent;

21. A permanent injunction, enjoining Defendants along with their officers, directors, agents, servants, employees, affiliates, divisions, branches, subsidiaries, and parents from infringing, as alleged in the above Counts, AVS' '483 patent;

22. A judgment and order requiring Defendants to pay AVS damage for their infringement, as alleged in the above Counts, of AVS' '483 patent, together with interest (both pre- and post-judgment), costs and disbursements as fixed by this Court under 35 U.S.C. § 284;

23. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to AVS its reasonable attorney's fees; and

24. Such other and further relief in law or in equity to which AVS may be justly entitled.

DEMAND FOR JURY TRIAL

25. Plaintiff demands a trial by jury of any and all issues triable of right before a jury.

Dated: March 8, 2013

Respectfully submitted,

/s/ Demetrios Anaipakos

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