

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

KONINKLIJKE PHILIPS N.V. and PHILIPS)
SOLID-STATE LIGHTING SOLUTIONS, INC.,)

Plaintiffs,)

v.)

SCHREDER LIGHTING LLC,)
SCHREDER SA, and SCHRÉDER GROUP GIE,)

Defendants.)

CIVIL ACTION NO. 14-cv-12282

DEMAND FOR JURY TRIAL

COMPLAINT

Plaintiffs Koninklijke Philips N.V. (“KPNV”) and Philips Solid-State Lighting Solutions, Inc. (“PSSL”) (collectively, “Philips”) bring this complaint for patent infringement against Defendants Schreder Lighting LLC., Schreder SA, and Schröder Group GIE (collectively, “Schreder”).

NATURE OF THE ACTION

1. This is an action for patent infringement under 35 U.S.C. § 271, *et seq.*, by Philips against Schreder for infringement of United States Patent Nos. 6,094,014 (“the ’014 patent”), 6,234,645 (“the ’645 patent”), 6,234,648 (“the ’648 patent”), 6,250,774 (“the ’774 patent”), 6,513,949 (“the ’949 patent”), 6,577,512 (“the ’512 patent”), 6,586,890 (“the ’890 patent”), 6,692,136 (“the ’136 patent”), 6,788,011 (“the ’011 patent”), 6,806,659 (“the ’659 patent”), 6,972,525 (“the ’525 patent”), and 7,274,160 (“the ’160 patent”) (collectively, the “patents-in-suit”).

THE PARTIES

2. Plaintiff Koninklijke Philips N.V., formerly known as Koninklijke Philips Electronics N.V., is a corporation organized and existing under the laws of the Netherlands, with a principal place of business at Breitner Center, Amstelplein 2, 1096 BC Amsterdam, The Netherlands.

3. Plaintiff Philips Solid-State Lighting Solutions, Inc. is a corporation organized and existing under the laws of Delaware, with a principal place of business at 3 Burlington Woods Drive, Burlington, Massachusetts 01803.

4. Upon information and belief, Defendant Schreder Lighting LLC is a limited liability company organized and existing under the laws of Delaware, with a principal place of business at 2105 Corporate Drive, Addison, Illinois 60101.

5. Upon information and belief, Defendant Schreder SA is a corporation organized and existing under the laws of Belgium, with a principal place of business at Rue de Lusambo 67, 1190 Bruxelles, Belgium.

6. Upon information and belief, Defendant Schröder Group GIE is an economic grouping of interest organized and existing under the laws of Belgium, with a principal place of business at Rue de Lusambo 67, 1190 Bruxelles, Belgium.

JURISDICTION AND VENUE

7. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338.

8. Upon information and belief, Defendants have made, used, provided, sold, offered to sell, imported, or distributed to others for such purposes, lighting products and systems

employing light-emitting diodes (“LEDs”) for illumination (“LED Lighting Devices”) throughout the United States, including Massachusetts and this judicial district.

9. Upon information and belief, Defendants maintain or have maintained continuous and systematic contacts with Massachusetts and this judicial district and have committed tortious activity within the district.

10. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), (c) and/or 1400(b), as *inter alia* the Defendants are subject to personal jurisdiction in this district.

FACTUAL BACKGROUND

11. Upon information and belief, Defendants’ LED Lighting Devices include, without limitation, products under the Alura LED, FV32 LED, Hestia LED, Piano, Teceo, Akila, Isla LED, Modullum, Neos LED, and Nemo brands. Defendants’ LED Lighting Devices include lighting products such as floodlight products, street-light products, residential-area lighting products, urban-area lighting products, and other luminaire-type lighting products.

COUNT I: PATENT INFRINGEMENT OF U.S. PATENT NO. 6,094,014

12. Plaintiffs incorporate by reference paragraphs 1-11 as if fully set forth herein.

13. On July 25, 2000, the United States patent & Trademark Office (“Patent Office”) duly and legally issued the ’014 patent, entitled “Circuit Arrangement, and Signaling Light Provided with the Circuit Arrangement,” to Marcel J. M. Bucks et al. Plaintiff KPNV is the assignee and owner of the ’014 patent, a copy of which is attached hereto as Exhibit A.

14. Upon information and belief, Defendants are engaged in activities that infringe the ’014 patent under 35. U.S.C. § 271 by making, using, offering to sell, selling and/or importing LED Lighting Devices, including without limitation their Alura LED family of products, in the United States.

15. Upon information and belief, Defendants are aware of the '014 patent and their infringement is deliberate, willful, and in reckless disregard of Plaintiffs' patent rights.

16. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

COUNT II: PATENT INFRINGEMENT OF U.S. PATENT NO. 6,234,645

17. Plaintiffs incorporate by reference paragraphs 1-11 as if fully set forth herein.

18. On May 22, 2001, the Patent Office duly and legally issued the '645 patent, entitled "LED Lighting System for Producing White Light," to Herbert Friedrich Börner et al. Plaintiff KPNV is the assignee and owner of the '645 patent, a copy of which is attached hereto as Exhibit B.

19. Upon information and belief, Defendants are engaged in activities that infringe the '645 patent under 35. U.S.C. § 271 by making, using, offering to sell, selling and/or importing LED Lighting Devices, including without limitation their Neos 2 RGB + Amber products, in the United States.

20. Upon information and belief, Defendants are aware of the '645 patent and their infringement is deliberate, willful, and in reckless disregard of Plaintiffs' patent rights.

21. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

COUNT III: PATENT INFRINGEMENT OF U.S. PATENT NO. 6,234,648

22. Plaintiffs incorporate by reference paragraphs 1-11 as if fully set forth herein.

23. On May 22, 2001, the Patent Office duly and legally issued the '648 patent, entitled "Lighting System," to Herbert F. Börner et al. Plaintiff KPNV is the assignee and owner of the '648 patent, a copy of which is attached hereto as Exhibit C.

24. Upon information and belief, Defendants are engaged in activities that infringe the '648 patent under 35. U.S.C. § 271 by making, using, offering to sell, selling and/or importing LED Lighting Devices, including without limitation their Neos 2 RGB + White products, in the United States.

25. Upon information and belief, Defendants are aware of the '648 patent and their infringement is deliberate, willful, and in reckless disregard of Plaintiffs' patent rights.

26. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

COUNT IV: PATENT INFRINGEMENT OF U.S. PATENT NO. 6,250,774

27. Plaintiffs incorporate by reference paragraphs 1-11 as if fully set forth herein.

28. On June 26, 2001, the Patent Office duly and legally issued the '774 patent, entitled "Luminaire," to Simon H. A. Begemann et al. Plaintiff KPNV is the assignee and owner of the '774 patent, a copy of which is attached hereto as Exhibit D.

29. Upon information and belief, Defendants are engaged in activities that infringe the '774 patent under 35. U.S.C. § 271 by making, using, offering to sell, selling and/or importing LED Lighting Devices, including without limitation their Neos 1 and Neos 2 family of products, in the United States.

30. Upon information and belief, Defendants are aware of the '774 patent and their infringement is deliberate, willful, and in reckless disregard of Plaintiffs' patent rights.

31. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

COUNT V: PATENT INFRINGEMENT OF U.S. PATENT NO. 6,513,949

32. Plaintiffs incorporate by reference paragraphs 1-11 as if fully set forth herein.

33. On February 4, 2003, the Patent Office duly and legally issued the '949 patent, entitled "LED/Phosphor-LED Hybrid Lighting Systems," to Thomas M. Marshall et al. Plaintiff KPNV is the assignee and owner of the '949 patent, a copy of which is attached hereto as Exhibit E.

34. Upon information and belief, Defendants are engaged in activities that infringe the '949 patent under 35. U.S.C. § 271 by making, using, offering to sell, selling and/or importing LED Lighting Devices, including without limitation their Neos 2 RGB + White products, in the United States.

35. Upon information and belief, Defendants are aware of the '949 patent and their infringement is deliberate, willful, and in reckless disregard of Plaintiffs' patent rights.

36. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

COUNT VI: PATENT INFRINGEMENT OF U.S. PATENT NO. 6,577,512

37. Plaintiffs incorporate by reference paragraphs 1-11 as if fully set forth herein.

38. On June 10, 2003, the Patent Office duly and legally issued the '512 patent, entitled "Power Supply for LEDs," to Ajay Tripathi et al. Plaintiff KPNV is the assignee and owner of the '512 patent, a copy of which is attached hereto as Exhibit F.

39. Upon information and belief, Defendants are engaged in activities that infringe the '512 patent under 35. U.S.C. § 271 by making, using, offering to sell, selling and/or importing LED Lighting Devices, including without limitation their Alura LED family of products, in the United States.

40. Upon information and belief, Defendants are aware of the '512 patent and their infringement is deliberate, willful, and in reckless disregard of Plaintiffs' patent rights.

41. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

COUNT VII: PATENT INFRINGEMENT OF U.S. PATENT NO. 6,586,890

42. Plaintiffs incorporate by reference paragraphs 1-11 as if fully set forth herein.

43. On July 1, 2003, the Patent Office duly and legally issued the '890 patent, entitled "LED Driver Circuit with PWM Output," to Young-Kee Min et al. Plaintiff KPNV is the assignee and owner of the '890 patent, a copy of which is attached hereto as Exhibit G.

44. Upon information and belief, Defendants are engaged in activities that infringe the '890 patent under 35. U.S.C. § 271 by making, using, offering to sell, selling and/or importing LED Lighting Devices, including without limitation their Alura family of products and their Neos 1 RGB, Neos 2 RGB + Amber, and Neos 2 RGB + White products, in the United States.

45. Upon information and belief, Defendants are aware of the '890 patent and their infringement is deliberate, willful, and in reckless disregard of Plaintiffs' patent rights.

46. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

COUNT VIII: PATENT INFRINGEMENT OF U.S. PATENT NO. 6,692,136

47. Plaintiffs incorporate by reference paragraphs 1-11 as if fully set forth herein.

48. On February 17, 2004, the Patent Office duly and legally issued the '136 patent, entitled "LED/Phosphor-LED Hybrid Lighting Systems," to Thomas M. Marshall et al. Plaintiff KPNV is the assignee and owner of the '136 patent, a copy of which is attached hereto as Exhibit H.

49. Upon information and belief, Defendants are engaged in activities that infringe the '136 patent under 35. U.S.C. § 271 by making, using, offering to sell, selling and/or importing LED Lighting Devices, including without limitation their Neos 2 RGB + White products, in the United States.

50. Upon information and belief, Defendants are aware of the '136 patent and their infringement is deliberate, willful, and in reckless disregard of Plaintiffs' patent rights.

51. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

COUNT IX: PATENT INFRINGEMENT OF U.S. PATENT NO. 6,788,011

52. Plaintiffs incorporate by reference paragraphs 1-11 as if fully set forth herein.

53. On September 7, 2004, the Patent Office duly and legally issued the '011 patent, entitled "Multicolored LED Lighting Method and Apparatus," to George G. Mueller et al. Plaintiff PSSL is the assignee and owner of the '011 patent, a copy of which is attached hereto as Exhibit I.

54. Upon information and belief, Defendants are engaged in activities that infringe the '011 patent under 35. U.S.C. § 271 by making, using, offering to sell, selling and/or importing LED Lighting Devices, including without limitation the Neos 1 RGB, Neos 2 RGB + Amber, and Neos 2 RGB + White products, in the United States.

55. Upon information and belief, Defendants are aware of the '011 patent and their infringement is deliberate, willful, and in reckless disregard of Plaintiffs' patent rights.

56. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

COUNT X: PATENT INFRINGEMENT OF U.S. PATENT NO. 6,806,659

57. Plaintiffs incorporate by reference paragraphs 1-11 as if fully set forth herein.

58. On October 19, 2004, the Patent Office duly and legally issued the '659 patent, entitled "Multicolored LED Lighting Method and Apparatus," to George G. Mueller et al. Plaintiff PSSL is the assignee and owner of the '659 patent, a copy of which is attached hereto as Exhibit J.

59. Upon information and belief, Defendants are engaged in activities that infringe the '659 patent under 35. U.S.C. § 271 by making, using, offering to sell, selling and/or importing LED Lighting Devices, including without limitation their Neos 1 RGB, Neos 2 RGB + Amber, and Neos 2 RGB + White products, in the United States.

60. Upon information and belief, Defendants are aware of the '659 patent and their infringement is deliberate, willful, and in reckless disregard of Plaintiffs' patent rights.

61. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

COUNT XI: PATENT INFRINGEMENT OF U.S. PATENT NO. 6,972,525

62. Plaintiffs incorporate by reference paragraphs 1-11 as if fully set forth herein.

63. On December 6, 2005, the Patent Office duly and legally issued the '525 patent, entitled "LED Switching Arrangement," to Marcel Johannes Maria Bucks et al. Plaintiff KPNV is the assignee and owner of the '525 patent, a copy of which is attached hereto as Exhibit K.

64. Upon information and belief, Defendants are engaged in activities that infringe the '525 patent under 35. U.S.C. § 271 by making, using, offering to sell, selling and/or importing LED Lighting Devices, including without limitation the Alura family of products, in the United States.

65. Upon information and belief, Defendants are aware of the '525 patent and their infringement is deliberate, willful, and in reckless disregard of Plaintiffs' patent rights.

66. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

COUNT XII: PATENT INFRINGEMENT OF U.S. PATENT NO. 7,274,160

67. Plaintiffs incorporate by reference paragraphs 1-11 as if fully set forth herein.

68. On September 25, 2007, the Patent Office duly and legally issued the '160 patent, entitled "Multicolored Lighting Method and Apparatus," to George G. Mueller et al. Plaintiff PSSL is the assignee and owner of the '160 patent, a copy of which is attached hereto as Exhibit L.

69. Upon information and belief, Defendants are engaged in activities that infringe the '160 patent under 35. U.S.C. § 271 by making, using, offering to sell, selling and/or importing LED Lighting Devices, including without limitation their Neos 1 RGB, Neos 2 RGB + Amber, and Neos 2 RGB + White products, in the United States.

70. Upon information and belief, Defendants are aware of the '160 patent and their infringement is deliberate, willful, and in reckless disregard of Plaintiffs' patent rights.

71. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request the following relief:

(a) a declaration that Defendants infringe the patents-in-suit and a final judgment incorporating same;

(b) entry of preliminary and/or permanent equitable relief, including but not limited to a preliminary and/or permanent injunction that enjoin Defendants and any of their officers, agents, employees, assigns, representatives, privies, successors, and those acting in concert or participation with them from infringing and/or inducing infringement of the patents-in-suit;

(c) an award of damages sufficient to compensate Plaintiffs for infringement of the patents-in-suit by Defendants, together with prejudgment and post-judgment interest;

(d) a declaration or order finding that Defendants' infringement is willful and/or an order increasing damages under 35 U.S.C. § 284;

(e) a judgment holding that this is an exceptional case under 35 U.S.C. § 285 and awarding Plaintiffs their reasonable attorneys' fees, costs, and expenses; and

(f) such other relief deemed just and proper.

JURY DEMAND

Under Rule 38 of the Federal Rules of Civil Procedure, Plaintiffs hereby demand trial by jury of all issues so triable by a jury in this action.

Dated: May 27, 2014

Respectfully submitted,

/s/ Denise W. DeFranco

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