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10 *Attorney for Plaintiff Indian Industries, Inc. dba Escalade Sports*

11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**

13 INDIAN INDUSTRIES, INC. DBA )  
14 ESCALADE SPORTS, )

15 Plaintiff, )

16 v. )

17 MEDAL SPORTS (USA), LLC )

18 Defendant. )

**Case No. 2:22-cv-2027**

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**JURY DEMAND**

20 Plaintiff, Indian Industries, Inc. dba Escalade Sports (hereafter “Escalade Sports” or  
21 “Plaintiff”), complains of Defendant, Medal Sports (USA), LLC (hereafter “Medal Sports” or  
22 “Defendant”), and alleges as follows:

23 **INTRODUCTION**

24 1. Escalade Sports is a leading manufacturer and supplier of sporting goods and game  
25 room equipment. Escalade Sports’ products include its successful and patented Triumph multi-  
26 game table with removable foosball rods, among others, which are covered by U.S. Patent No.  
27 9,962,604 (“the ‘604 Patent”). Medal Sports has introduced a series of game tables with removable  
28 foosball rods which infringe the ‘604 Patent.

1 **PARTIES**

2 2. Plaintiff Escalade Sports is a corporation organized and existing under the laws of  
3 the State of Indiana, having a principal place of business at 817 Maxwell Avenue, P.O. Box 889,  
4 Evansville, IN 47706-0889.

5 3. On information and belief, Defendant, Medal Sports is a limited liability company  
6 organized under the laws of the state of Nevada and has a principal place of business at 3960  
7 Howard Hughes Parkway Suite 500, Las Vegas, NV 89169.

8 4. Medal Sports can be served via its registered agent, Shu-Chuan Tsai Liao, at 3960  
9 Howard Hughes Parkway Suite 500, Las Vegas, NV 89169.

10 **JURISDICTION AND VENUE**

11 5. This case arises under the patent laws of the United States, Title 35, United States  
12 Code, including, among others, section 271.

13 6. This Court has jurisdiction of this Action pursuant to 28 U.S.C. §§ 1331, 1332, and  
14 1338(a); 35 U.S.C. § 281; and through the Court’s supplemental jurisdiction under 28 U.S.C.  
15 §1367.

16 7. Venue in this district is proper pursuant to the provisions of Title 28, United States  
17 Code, Section 1391.

18 8. This Court has personal jurisdiction over Medal Sports because it is organized in  
19 Nevada and does business in this judicial district.

20 9. Defendant is subject to the personal jurisdiction of this Court because a substantial  
21 part of the events or omissions giving rise to Plaintiff’s claims occurred in this Judicial District,  
22 and Defendant has committed acts that have caused tortuous injury to the Plaintiff in this Judicial  
23 District.

24 **BACKGROUND FACTS**

25 ***Escalade Sports Products and Its Patent Rights***

26 10. Escalade Sports is a leading manufacturer and supplier of sporting goods and game  
27 room equipment.

28 11. Escalade Sports’ products include its successful and patented Triumph multi-game

1 table with removable foosball rods, among others.

2 12. Escalade Sports owns U.S. Patent No. 9,962,604 issued on May 8, 2018 entitled  
3 “Game Table.” A true and accurate copy of the ‘604 Patent is attached hereto as **Exhibit A.**

4 13. The ‘604 Patent is valid and currently in force.

5 14. Escalade Sports makes and sells products incorporating the disclosure claimed in  
6 the ‘604 Patent.

7 15. Escalade Sports marks its products incorporating the disclosure claimed in the ‘604  
8 Patent under the patent marking statute.

9 **Medal Sports’ Products**

10 16. Medal Sports has introduced a series of game tables which infringe at least claims  
11 7 and 8 of the ‘604 Patent.

12 17. Medal Sports is selling an MD Sports 4 Ft. 3-in-1 Combo Game Table, including  
13 at least Model # CB048Y22034, Model #: CB048Y22035, and Model #: CB048Y22036.

14 18. A printout from the Medal Sports website (www.medalsports.com) showing Model  
15 # CB048Y22034, Model #: CB048Y22035 and Model #: CB048Y22036 is attached as **Exhibit B.**

16 19. Medal Sports is selling an MD Sports 54” 4-in-1 Combo Game Table, including at  
17 least Model # CB054Y22006.

18 20. A printout from the Medal Sports website (www.medalsports.com) showing Model  
19 # CB054Y22006 is attached as **Exhibit C.**

20 21. Plaintiff sent a first letter via Federal Express to Medal Sports on October 11, 2022,  
21 notifying Medal Sports that its game tables violated Escalade Sports’ patent rights. A copy is  
22 attached as **Exhibit D.**

23 22. An exemplary annotated claim chart was enclosed with Plaintiff’s first letter.

24 23. Plaintiff’s first letter was delivered to Medal Sports on October 12, 2022 at 10:37  
25 am, and was signed for by “M.Lee.”

26 24. Medal Sports did not respond to Plaintiff’s first letter.

27 25. Plaintiff sent a second letter via Federal Express to Medal Sports on November 7,  
28 2022 requesting a response. A copy is attached as **Exhibit E.**

1 26. Plaintiff's second letter was delivered to Medal Sports on November 8, 2022 at  
2 9:50 am, and was signed for by "D.Edwards."

3 27. Medal Sports did not respond to Plaintiff's second letter.

4 **FIRST CAUSE OF ACTION**

5 **(Infringement of the '605 Patent)**

6 28. Plaintiff repeats, realleges and incorporates herein each of the foregoing allegations  
7 in the preceding paragraphs of this Complaint as if fully set forth herein.

8 29. Defendant manufactures, uses, sells, offers to sell, and/or imports into the United  
9 States and this Judicial District game tables, including at least Model # CB048Y22034, Model #:  
10 CB048Y22035, Model #: CB048Y22036 and Model # CB054Y22006, that directly infringe the  
11 '604 Patent.

12 30. On information and belief, Defendant has also contributed to and/or induced  
13 infringement of the '604 Patent.

14 31. On information and belief, Defendant has acted willfully, intentionally and  
15 deliberately in derogation of Plaintiff's rights.

16 32. Plaintiff has been damaged by Defendant's infringement and will suffer irreparable  
17 injury unless Defendant is permanently enjoined by this Court.

18 **PRAYER FOR RELIEF**

19 WHEREFORE, Escalade Sports prays for judgment as follows:

20 A. A judgment of infringement of the '604 Patent be entered in favor of Plaintiff against  
21 Medal Sports;

22 B. An order permanently restraining Defendant or any subsidiaries, employees, agents or  
23 servants thereof, from further acts of infringement of the '604 Patent;

24 C. An order that all infringing devices in the possession of, or subject to control by  
25 Defendant or any employees, agents or servants thereof, infringing on any claim of the '604 Patent  
26 be delivered up and destroyed or altered to eliminate any possibility of infringement;

27 D. An award of damages not less than a reasonable royalty, sufficient to compensate  
28 Plaintiff for Defendant's acts of infringement;

1 E. An award of damages under 35 U.S.C. § 284 in an amount not less than three times  
2 the amount of actual damages caused by Defendant’s acts of willful infringement;

3 F. An award to Plaintiff of its costs and expenses;

4 G. An order declaring that this is an exceptional case pursuant to 35 U.S.C. § 285 as a  
5 result of Defendant’s knowing and willful infringement of the ‘604 Patent, and awarding Plaintiff  
6 their attorneys’ fees incurred in bringing this action;

7 H. An order granting all other relief found necessary, just and proper under the  
8 circumstances, including monetary damages to which Plaintiff may be entitled.

9  
10 **DEMAND FOR JURY TRIAL**

11 Under Rule 38 of the Federal Rules of Civil Procedure, Plaintiff requests a trial by jury of  
12 all issues so triable.

13  
14 Dated: December 7, 2022

15 Respectfully Submitted,

16 **GILE LAW GROUP, LTD.**

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