

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HENGST SE,

Plaintiff,

v.

CHAMPION LABORATORIES, INC.,

Defendant.

Case No. 23-cv-00794

COMPLAINT

Plaintiff Hengst SE (“Hengst”) hereby brings the present action against Defendant Champion Laboratories, Inc. (“Champion”) for patent infringement and alleges as follows:

JURISDICTION AND VENUE

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

2. This Court may properly exercise personal jurisdiction over Champion since Champion, upon information and belief, has an established place of business within Illinois, and specifically within this District, maintains continuous and systematic general business contacts with Illinois, and has committed acts of infringement within Illinois. On information and belief, Champion is subject to personal jurisdiction in Illinois because, among other things, Champion maintains continuous and systematic contacts with the State of Illinois, and has purposefully availed itself of the benefits and protections of the laws of Illinois, such that it should reasonably anticipate being haled into court here.

3. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1400(b) as Defendant has a regular and established place of business and committed acts of infringement in this district.

NATURE OF THE ACTION

4. This is an action by Hengst to combat and stop Champion's infringement of Hengst's intellectual property.

5. Specifically, upon information and belief, Champion has, without authorization, made, used, sold, offered for sale, and/or imported and continues to make, use, sell, offer for sale, and import into the United States an automotive oil filter insert that infringes one of Hengst's patents.

6. As a direct and proximate result of Champion's unlawful and active offering for sale and/or selling such unlicensed infringing oil filter insert, Hengst has been irreparably harmed. Hengst seeks a permanent injunction, damages, to be no less than a reasonable royalty, together with prejudgment interest, costs, and attorneys' fees.

The Parties

7. Hengst is a corporation organized and existing under the laws of Germany with a principal place of business in Münster, Germany. Hengst is a global leader in designing and producing automotive oil filters and filter inserts.

8. Defendant Champion, upon information and belief, is a corporation existing under the laws of Delaware and having a place of business in Roscoe, Illinois. Upon information and belief, Champion owns and/or operates a website having an internet address of www.champlabs.com. Upon information and belief, Champion allows people to order parts via

the website having an internet address of orders.champlabs.com. Moreover, upon information and belief, Champion sells products, including filter inserts, under the brand name of “Luber-Finer.” Luber-Finer branded products are commonly sold and/or advertised on the website www.luberfiner.com.

Plaintiff’s Patent

9. Hengst is an international pioneer in the automotive technologies, including oil filters and filter inserts, and is a leader in designing, manufacturing and delivering automotive oil filters and filter inserts. Innovation is a driving force at Hengst, whereby Hengst develops technological advancements for automotive oil filters and filter inserts. As a result of its drive for innovation, Hengst has obtained numerous patents throughout the world for various new and inventive automotive oil filters and filter inserts.

10. One of Hengst’s patents is United States Patent No. 9,023,203 (the “‘203 Patent”) entitled, “Liquid filter,” which was duly and legally issued by the United States Patent and Trademark Office on May 5, 2015. A true and correct copy of the ‘203 Patent is attached hereto as **Exhibit A**.

11. Hengst owns all rights, title, and interest in and to the ‘203 Patent, including the right to assert all causes of action under the ‘203 Patent and the right to any remedies for the infringement of the ‘203 Patent.

12. Recently, Hengst became aware of a filter insert configuration being offered for sale from Champion with the part identification number LP6044.

13. A true and correct copy of a page from the website having an internet address of www.luberfiner.com showing the filter insert configuration having part identification number LP6044 is attached hereto as **Exhibit B**.

14. A true and correct photograph showing the filter insert sold by Champion with the part identification number LP6044 is attached hereto as **Exhibit C**.

15. Hengst has not granted a license, or any other form of permission, to Champion for the '203 Patent.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 9,023,203

(35 U.S.C. § 271)

16. Hengst repeats and alleges the allegations set forth in paragraphs 1 through 15 above, as if set forth fully herein.

17. The '203 Patent is directed, generally, to a new automotive oil filter in combination with a removable novel filter insert and also to the novel filter insert alone.

18. For example, claim 15 of the '203 Patent recites:

A ring filter insert for a liquid filter, comprising:

a hollow-cylindrical filter material body surrounded on front sides by top and bottom front panels and which can be replaceably arranged in a filter housing,

an eccentric blocking element arranged on the bottom front panel for engaging an eccentric opening in the filter housing,

first positioning means on the ring filter insert, which interact with second positioning means on the filter housing when the ring filter insert is inserted into the filter housing and which are arranged to bring the blocking element into engagement with the eccentric opening,

the first positioning means being one of an inclined plane and a protruding nose, with the second positioning means being the other of the inclined plane and the protruding nose,

the inclined plane and the nose arranged to be moved in relation to each other in such a way that they slide along each other and bring the

blocking element into engagement with the eccentric opening, by rotating the ring filter insert relative to the filter housing,
the first positioning means being one of embodied and arranged on an inner circumference of the ring filter insert.

Exhibit A, claim 15.

19. Upon information and belief, Champion has directly infringed and continues to directly infringe, literally and/or under the doctrine of equivalents, one or more claims, including at least claim 15, of the '203 Patent in violation of 35 U.S.C. § 271(a).

20. For example, Champion has, without authorization, made, used, sold, offered for sale, and/or imported and continues to make, use, sell, offer for sale, and import the LP6044 filter insert.

21. The LP6044 filter insert satisfies all claim limitations of one or more of the claims of the '203 Patent, including at least claim 15.

22. By way of example, upon information and belief, the LP6044 filter insert has a hollow-cylindrical filter material body surrounded on front sides by top and bottom front panels and which can be replaceably arranged in a filter housing.

23. The LP6044 filter insert has an eccentric blocking element arranged on the bottom front panel which, when LP6044 filter insert is inserted into a filter housing, engages an eccentric opening in the filter housing.

24. The LP6044 filter insert includes first positioning means on the ring filter insert which, when LP6044 filter insert is inserted into a filter housing, interact with second positioning means on the filter housing. The first positioning means are arranged to bring the blocking element of the LP6044 filter insert into engagement with the eccentric opening.

25. The first positioning means on the LP6044 filter insert are a protruding nose, which can engage an inclined plane of the filter housing.

26. The protruding nose on the LP6044 filter insert is configured to be moved in relation to the inclined plane of the filter housing in such a way that they slide along each other and bring the blocking element into engagement with the eccentric opening. This rotates the ring filter insert relative to the filter housing.

27. The protruding nose on the LP6044 filter insert is one of embodied and arranged on an inner circumference of the ring filter insert.

28. Therefore, based upon the foregoing, by making, using, selling, offering for sale, and/or importing and continuing to make, use, sell, offer for sale, and import the LP6044 filter insert, Champion has infringed and continues to infringe at least claim 15 of the '203 Patent.

29. Champion's actions have been without license or permission from Hengst.

30. On information and belief, Champion has willfully, deliberately and intentionally infringed the claims of the '203 Patent, and Champion was aware of the '203 Patent before the filing of the present Complaint.

31. Champion's infringement of the '203 Patent has injured Hengst and will cause Hengst further irreparable injury and damage in the future unless Champion is enjoined from such infringement.

PRAYER FOR RELIEF

WHEREFORE, Hengst prays that the Court enter an Order against Champion as follows:

1. Declaring that Champion has infringed the '203 Patent;

2. Awarding Hengst such damages as it shall prove at trial against Champion that are adequate to compensate Hengst for infringement of Hengst's '203 Patent, with prejudgment and post-judgment interest;
3. Ordering that such damages be trebled for the willful, deliberate and intentional infringement by Champion as alleged herein in accordance with 35 U.S.C. § 284;
4. Finding that this case is exceptional and awarding Hengst its costs and attorneys' fees pursuant to 35 U.S.C. § 285;
5. Permanently enjoining and retraining Champion, and its officers, agents, servants, employees, attorneys, confederates, and all persons or entities acting for, with, by, through, under, or in active concert with it from the following acts in the United States or in any other manner that impacts U.S. commerce:
 - a. importing, offering for sale, or selling the LP6044 filter insert in any configuration that infringes Hengst's '203 Patent and which is not authorized by Hengst, including but not limited to the LP6044 filter insert;
 - b. importing, offering for sale, or selling any other products not authorized by Hengst that infringes Hengst's '203 Patent;
 - c. aiding, abetting, contributing to or otherwise assisting anyone from infringing upon Hengst's '203 Patent; and,
 - d. effecting assignments or transfers, forming new entities or association or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth in Subparagraphs (a) through (c);
6. Awarding Hengst its costs in bringing this action; and
7. Awarding Hengst any further relief that this Court deems just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rule of Civil Procedure 38(b), Hengst SE hereby demands a trial by jury of all issues so triable.

Dated this 8th day of February 2023.

Respectfully submitted,

/s/ Patrick J. Smith _____

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