

1 **NICOLSON LAW GROUP, PC**
2 DANIEL S. CHO, State Bar No. 260902
3 21650 Oxnard Street, Suite 1410
4 Woodland Hills, California 91367
5 Telephone: (818) 858-1121
6 Facsimile: (818) 858-1124
7 E-mail: Cho@NicolsonLawGroup.com

8 **ELECTROLUX NORTH AMERICA, INC.**
9 **LEGAL DEPARTMENT**
10 RAY ASHBURG (*Pro Hac Vice Pending*)
11 10200 David Taylor Dr.
12 Charlotte, North Carolina 28262
13 Telephone: (704) 458-1466
14 Facsimile: (704) 547-7053
15 E-mail: Ray.Ashburg@Electrolux.com

16 **BRADLEY ARANT BOULT CUMMINGS LLP**
17 MATTHEW S. DEANTONIO (*Pro Hac Vice Pending*)
18 214 N. Tryon Street, Suite 3700
19 Charlotte, North Carolina 28202
20 Telephone: (704) 338-6115
21 Facsimile: (704) 332-8858
22 Email: mdeantonio@bradley.com

23 Attorneys for Plaintiff,
24 ELECTROLUX HOME PRODUCTS, INC.

25 **UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF**
26 **CALIFORNIA, EASTERN DIVISION**

27 ELECTROLUX HOME PRODUCTS,
28 INC.,

Plaintiff,

v.

AQUAMOR, LLC,

Defendant.

Case No.

**ELECTROLUX HOME PRODUCTS,
INC.'S VERIFIED COMPLAINT FOR
PATENT INFRINGEMENT**

JURY TRIAL DEMANDED

1 **PATENT INFRINGEMENT COMPLAINT**

2 Plaintiff, Electrolux Home Products, Inc. (“Electrolux”), by and through its
3 attorneys, for its Complaint against defendant Aquamor, LLC. (“Defendant”), alleges
4 as follows:

5 **PRELIMINARY STATEMENT**

6 1. This is an action for infringement of Electrolux’s United States Patent
7 Nos. D761,382 S (the “D’382 Patent”) and D761,383 S (the “D’383 Patent”)
8 (collectively, the “Asserted Patents”) under the patent laws of the United States, 35
9 U.S.C. § 101 *et seq.* Electrolux owns all right, title, and interest in the Asserted
10 Patents. Defendant has infringed the Asserted Patents by using the claimed designs in
11 the Asserted Patents without Electrolux’s permission on the HDX branded refrigerator
12 water filters, Model No. FMF-8 (“Accused Product”), that Defendant manufactures,
13 uses, offers for sale, and sells in the United States.

14 **JURISDICTION**

15 1. This Court has subject matter jurisdiction over this action under 28
16 U.S.C. § 1338(a) (patent infringement), and 28 U.S.C. § 1331 (federal question).

17 2. This Court has personal jurisdiction over Defendant pursuant to
18 principles of specific and general personal jurisdiction, consistent with due process,
19 and under Cal. Code § 410.10, due at least to Defendant’s substantial business in
20 California and this judicial district, including upon information and belief: (i)
21 maintaining a continued presence in California and this judicial district; (ii) organizing
22 itself as a limited liability company under the laws of the State of California with its
23 principal place of business located at 42188 Rio Nedo, Temecula, CA 92590; (iii)
24 purposefully availing itself of the rights and benefits of the laws of California; (iv)
25 committing at least part of its infringing activities in California and this judicial
26 district; (v) regularly conducting or soliciting business in California, and/or (vi)
27 engaging in persistent conduct and/or driving substantial revenue from goods and
28 services provided to customers in the California.

1 VENUE

2 3. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b)–(c)
3 and 1400(b). On information and belief, Defendant is organized as a limited liability
4 company under the laws of the state of California with its principal place of business
5 located at 42188 Rio Nedo, Temecula, CA 92590. Under the patent laws, because
6 Defendant is organized as a limited liability company in the state of California with its
7 principal place of business in this judicial district, the Central District of California is
8 the only judicial district in which it resides. On information and belief, from and
9 within this judicial district, Defendant has committed at least a portion of the
10 infringements at issue in this case. For these reasons, venue is proper in this Court
11 under 28 U.S.C. §§ 1391(b)–(c) and 1400(b).

12 PARTIES

13 4. Electrolux is a corporation organized under the laws of the state of
14 Delaware with its principal place of business at 10200 David Taylor Drive, Charlotte,
15 NC 28262.

16 5. Upon information and belief, Defendant is organized as a limited liability
17 company under the laws of California with its principal place of business located at
18 42188 Rio Nedo, Temecula, CA 92590. A PDF copy of Defendant’s publicly
19 available corporate records filed with the California Secretary of State are attached
20 hereto as **Exhibit 1**.

21 FACTUAL BACKGROUND

22 6. Electrolux is a U.S. subsidiary of Electrolux North America, Inc.
23 (“ENA”), which is a subsidiary of AB Electrolux (these and other related companies
24 are under the umbrella of the “Electrolux Group”), a Swedish home-appliance
25 manufacturer. AB Electrolux, founded in 1919, is a world-renowned household and
26 professional appliance manufacturer. Through its brands, including Electrolux, AEG,
27 Anova, Frigidaire, and Zanussi, Electrolux Group and its licensees sell more than 60
28 million household and professional appliances including refrigerators, freezers,

1 dishwashers, washers, dryers, ranges, ovens, and microwave ovens as well as vacuums
2 cleaners, air conditioners, and small domestic appliances in more than 150 markets
3 every year. With offices in over 60 countries, Electrolux Group employs
4 approximately 42,000 people in various major regions of the world.

5 7. Electrolux is the owner of the famous Frigidaire® brand of appliances,
6 which includes the Frigidaire® line of refrigerators and water filters therefor.
7 Electrolux’s Frigidaire® refrigerators are substantially designed, engineered, tested,
8 and validated in the United States. Electrolux also operates factories in the United
9 States that produce more than one million refrigerators each year.

10 8. Electrolux sells billions of dollars of appliances in the US, and
11 Frigidaire® refrigerators comprise a substantial portion of Electrolux’s sales. Its
12 popular and higher-end refrigerator models include systems to dispense filtered
13 drinking water and ice. The water filters for these refrigerators, which can retail for
14 nearly \$50, must be replaced every 6 months on average. Filter sales, therefore,
15 comprise a significant portion of Electrolux’s sales.

16 9. Electrolux protects its Frigidaire® brand, as well as its water filter
17 products, with an array of intellectual property that includes utility and design patents.

18 10. Electrolux is the owner of the Asserted Patents that protect the design of
19 certain water filters that are installed or removed by twisting the filter into or out of a
20 manifold in certain FRIGIDAIRE® branded refrigerators (the “Twist Filters”).

21 11. In general, a water filter is a device that removes impurities in a fluid
22 stream by lowering contamination in the water using a fine physical barrier, an
23 electrical attraction, a chemical process, a biological process, or a combination
24 thereof. Activated carbon granules based on charcoal, wood, and/or coconut shells
25 represent a preferred filter media. The filter media is generally encapsulated within a
26 filter housing that is releasably connected to a manifold in-line with the fluid stream.
27 There are mechanical, adsorptive, oxidizing, and neutralizing filters, available as
28 media beds in tanks, or as cartridge-type devices, such as the Electrolux filters.

1 12. Activated carbon remains the primary material used in point-of-
2 use/point-of-entry (POU/POE) water treatment devices for the control of physical
3 contaminants (sediments, suspended organic material), chemical contaminants
4 (nitrogen, bleach, slats, heavy metals, pesticides, toxins produced by bacteria, human
5 drugs, and animal drugs), biological contaminants (microbiological organisms,
6 bacteria, viruses, protozoan, and parasites), and radiological contaminants (cesium,
7 plutonium, and uranium).

8 13. The carbon is processed (extruded) into blocks generally using
9 proprietary binder systems and manufacturing techniques to produce filters with a
10 greater number of micropores and available carbon surface area, which ultimately
11 display superior adsorption capacity and kinetic dynamics. The activated carbon
12 particles may also be processed on pleated filter paper housed in the filter cartridge
13 housing cavity.

14 14. The water filter housing encloses the filter media in a manner that allows
15 for ingress fluid to pass through the media and filtered egress fluid to exit the filter
16 media without mixing with the ingress fluid. The water filter housing is configured to
17 mate with a filter manifold that puts the water filter housing (and filter media) in fluid
18 communication with the fluid lines.

19 15. Electrolux has protected its water filter designs through enforcement of
20 the Asserted Patents.

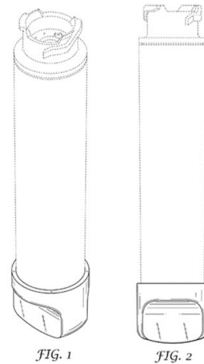
21 16. All Electrolux water filters undergo extensive testing and are subjected to
22 production and quality assurance programs. Electrolux water filters are typically
23 tested and certified to NSF/ANSI Drinking Water Treatment Unit standards by NSF
24 International. NSF International is an independent testing organization that evaluates
25 and certifies drinking water products. Many of Electrolux water filters are also
26 certified to Gold Seal standards by the Water Quality Association (“WQA”). WQA is
27 an international trade association representing the household, commercial and
28 industrial water quality improvement industry, which provides various type of

1 certifications to encompass a wide variety of products.

2 17. All Electrolux water filters meet the regulatory requirements put into
3 place by California Proposition 65, “The Safe Drinking Water and Toxic Enforcement
4 Act of 1986.”

5 18. Electrolux owns by assignment the entire right, title, and interest in the
6 D’382 Patent, entitled FILTER CARTRIDGE, which issued on July 12, 2016. The
7 D’382 Patent issued from United States Patent Application No. 29/527,438, filed May
8 19, 2015. A true and correct PDF copy of the D’382 Patent is attached hereto as
9 **Exhibit 2.**

10 19. The D’382 Patent claims the ornamental design for a filter cartridge end
11 as shown below (Figs. 1 and 2), as well as the D’382 Patent’s other figures:



19 20. Electrolux also owns by assignment the entire right, title, and interest in
20 the D’383 Patent, entitled FILTER CARTRIDGE, which issued on July 12, 2016. The
21 ’D363 Patent issued from United States Patent Application No. 29/527,439, filed May
22 19, 2015. A true and correct PDF copy of the D’383 Patent is attached hereto as
23 **Exhibit 3.**

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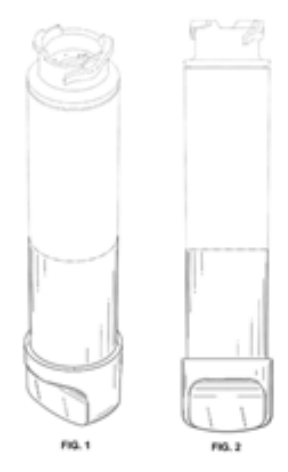
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21. The D’383 Patent claims the ornamental design for a filter cartridge end as shown below (Figs. 1 and 2), as well as the D’383 Patent’s other figures:



22. Defendant manufactures, imports, markets, offers for sale, sells, and/or uses refrigerator water filter products that infringe the Asserted Patents, and further induces others to infringe the Asserted Patents. A table setting forth the Asserted Patents’ numbers, and representative Accused Products is provided below. The Accused Products identified in this table are representative, and any of Defendant’s products having the same configuration of an explicitly Accused Product is likewise accused regardless of whether the brand and model number is identified in the chart below.

<u>Table 1</u>	
Asserted Patents	Accused Products
U.S. Design Patent No. D761,382	HDX branded refrigerator water filters, Model No. FMF-8
U.S. Design Patent No. D761,383	HDX branded refrigerator water filters, Model No. FMF-8

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COUNT I

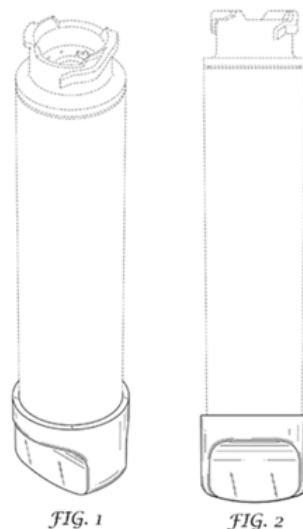
(INFRINGEMENT OF US PATENT NO. D761,382)

23. Electrolux repeats and realleges paragraphs 1 through 23 hereof, as if fully set forth herein.

24. Plaintiff Electrolux owns by assignment the entire right, title, and interest in the D’382 Patent, entitled FILTER CARTRIDGE, which was duly and legally issued on July 12, 2016. The D’382 Patent issued from United States Patent Application No. 29/527,438, filed May 19, 2015. The D’382 Patent names Brent Aaron Curtis, Thomas McCollough, Benjamin Paul Shrader, and Nathan Cho as the inventors. A true and correct PDF copy of the D’382 Patent is attached hereto as **Exhibit 2**.

25. Electrolux is the assignee of the entire right, title, and interest in the D’382 Patent, which assignment was recorded by the US Patent and Trademark Office at Reel/Frame: 037329/0155 on December 18, 2015. A PDF copy of the assignment is attached hereto as **Exhibit 5**.

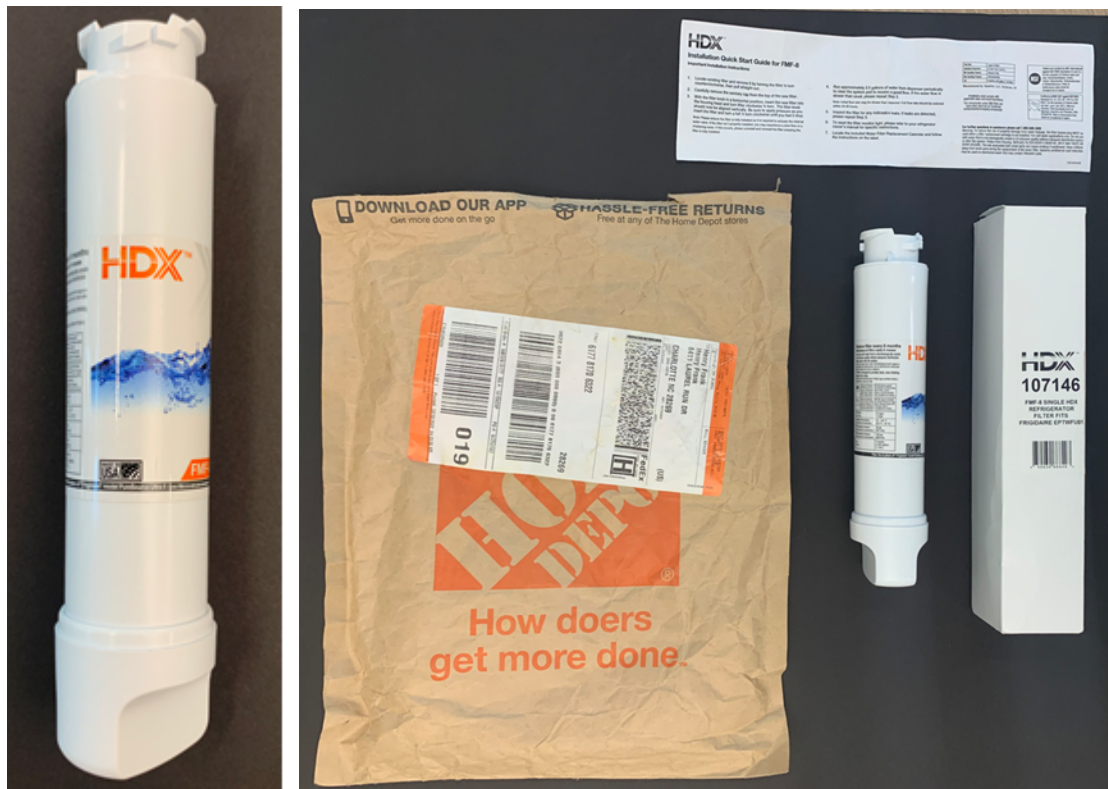
26. The D’382 Patent claims the non-functional, ornamental design for a filter cartridge end as shown below (Figs. 1 and 2), as well as the D’382 Patent’s other figures (*see Exhibit 2*, Claim 1):



1 27. Upon information and belief, Defendant makes, uses, imports, sells
2 and/or offers to sell the Accused Product under one or more brands including, but not
3 limited to, HDX in the United States, which embodies and/or practices the claimed
4 invention of the D'382 Patent. Specifically, the Accused Products are water filters that
5 embody the design covered by the D'382 Patent and thus infringe the D'382 Patent.

6 28. Upon information and belief, Defendant induces others to advertise, offer
7 for sale, and sell the Accused Product, which embodies and/or practices the claimed
8 invention of the D'382 Patent, to customers throughout the United States including the
9 State of California.

10 29. Below are images of the Accused Product designated as HDX branded
11 refrigerator water filters, Model No. FMF-8.



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1 30. On December 10, 2022, an example of the Accused Product, specifically
2 an HDX branded refrigerator water filter, Model No. FMF-8, was purchased from an
3 online source at the following URL: [https://www.homedepot.com/p/HDX-FMF-8-
4 Premium-Refrigerator-Replacement-Filter-Fits-Frigidaire-PureSource-Ultra-II-
5 107146/317554393#overlay](https://www.homedepot.com/p/HDX-FMF-8-Premium-Refrigerator-Replacement-Filter-Fits-Frigidaire-PureSource-Ultra-II-107146/317554393#overlay), as shown in **Exhibit 4**. This example of the Accused
6 Product was delivered to an address in Charlotte, North Carolina. The label on the
7 Accused Product identifies Defendant as the manufacturer of the of the Accused
8 Products, as shown below.



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1 31. The below images show side-by-side comparisons of Figures 1–5 of the
 2 D’382 Patent (*see Exhibit 2*), and respective photographs of the example of the
 3 Accused Product:

4 **Table 2: Comparison of the D’382 Patent with the Accused Product**

 <p>FIG. 1</p>		 <p>FIG. 2</p>		 <p>FIG. 3</p>	
 <p>FIG. 4</p>		 <p>FIG. 5</p>			

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1 32. The overall appearance of the ornamental design claimed in the D'382
2 Patent and the corresponding design of the Accused Product are substantially the
3 same. An ordinary observer familiar with the prior art in the water filter marketplace
4 would perceive the overall appearance of the ornamental design of the D'382 Patent
5 and the corresponding design of the Accused Product to be substantially the same if
6 not identical. Such an ordinary observer would be deceived into believing the design
7 of the Accused Product was the same as the ornamental design claimed in the D'382
8 Patent.

9 33. Electrolux has not granted a license or any other rights to Defendant to
10 manufacture, use, offer for sale, or sell the Accused Product.

11 34. Defendant has thus infringed, and continues to infringe, literally or under
12 the doctrine of equivalents, Electrolux's D'382 Patent, by making, using, importing,
13 selling and/or offering to sell in the United States, including within this judicial
14 district, the Accused Product during the pendency of the D'382 Patent, in violation of
15 35 U.S.C § 271(a).

16 35. Without authorization from Electrolux, Defendant has applied the D'382
17 patented design or a colorable imitation thereof, to its Accused Product for the
18 purpose of sale, and has sold and exposed for sale the Accused Product to which the
19 D'382 patented design or a colorable imitation thereof has been applied. Defendant is
20 therefore liable to Electrolux to the extent of Defendant's total profit for the Accused
21 Product, pursuant to 35 U.S.C § 289.

22 36. Defendant has also infringed, and continues to infringe, the claims of the
23 D'382 Patent by actively and knowingly inducing others to offer to sell, import,
24 and/or sell the Accused Product in the United States, including within this judicial
25 district. Sellers of the Accused Product who offer to sell, import, and/or sell the
26 Accused Product in accordance with Defendant's instructions and/or encouragement
27 infringe the D'382 Patent in violation of 35 U.S.C § 271(a). Defendant also induces
28 infringement by others by failing to remove or diminish the infringing features of the

1 Accused Product. Defendant is thus liable for infringement of the D'382 Patent under
2 35 U.S.C § 271(b).

3 37. Upon information and belief, Defendant has known of the existence of
4 the D'382 Patent, and its acts of infringement have been willful and in disregard for
5 the D'382 Patent, without any reasonable basis for believing that it had a right to
6 engage in the infringing conduct.

7 38. Defendant will have been on notice of the D'382 Patent since, the latest,
8 the service of this complaint upon it. By the time of trial, Defendant will have known
9 and intended (since receiving such notice) that its continued actions would infringe or
10 actively induce and contribute to the infringement of the D'382 Patent.

11 39. Defendant may have infringed the D'382 Patent through other water
12 filters using the overall appearance of the ornamental design of the D'382 Patent.

13 40. Electrolux has been damaged by Defendant's infringement of the D'382
14 Patent.

15 41. Upon information and belief, Defendant's infringement has been, and
16 continues to be knowing, intentional, and willful.

17 42. Defendant's acts of infringement of the D'382 Patent have caused and
18 will continue to cause Electrolux damages for which Electrolux is entitled to
19 compensation pursuant to 35 U.S.C. § 284.

20 43. Defendant's acts of infringement of the D'382 Patent have caused and
21 will continue to cause Electrolux immediate and irreparable harm unless such
22 infringing activities are enjoined by this Court pursuant to 35 U.S.C. § 283. Electrolux
23 has no adequate remedy at law, including loss of customers, loss of market-share,
24 price erosion, and loss of customer goodwill. Electrolux is thus entitled to a
25 preliminary and permanent injunction against Defendant's further infringement of the
26 D'383 Patent.

27 44. This case is exceptional and, therefore, Electrolux is entitled to an award
28 of attorney fees pursuant to 35 U.S.C. § 285.

COUNT II

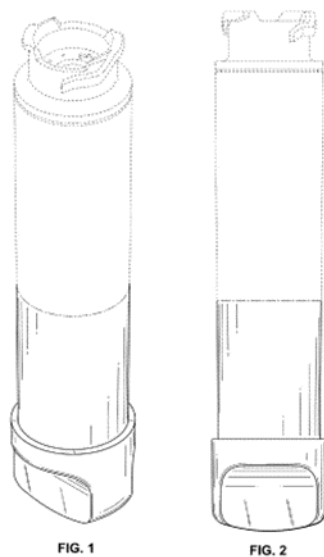
(INFRINGEMENT OF US PATENT NO. D761,383)

45. Electrolux repeats and realleges paragraphs 1 through 45 hereof, as if fully set forth herein.

46. Plaintiff Electrolux owns by assignment the entire right, title, and interest in the D’383 Patent, entitled FILTER CARTRIDGE, which was duly and legally issued on July 12, 2016. The D’363 Patent issued from United States Patent Application No. 29/527,439, filed May 19, 2015. The D’383 Patent names Brent Aaron Curtis, Thomas McCollough, Benjamin Paul Shrader and Nathan Cho as the inventors. A true and correct PDF copy of the D’383 Patent is attached hereto as **Exhibit 3**.

47. Electrolux is the assignee of the entire right, title, and interest in the D’363 Patent, which assignment was recorded by the US Patent and Trademark Office at Reel/Frame: 038761/0330 on June 1, 2016. A PDF copy of the assignment is attached hereto as **Exhibit 6**.

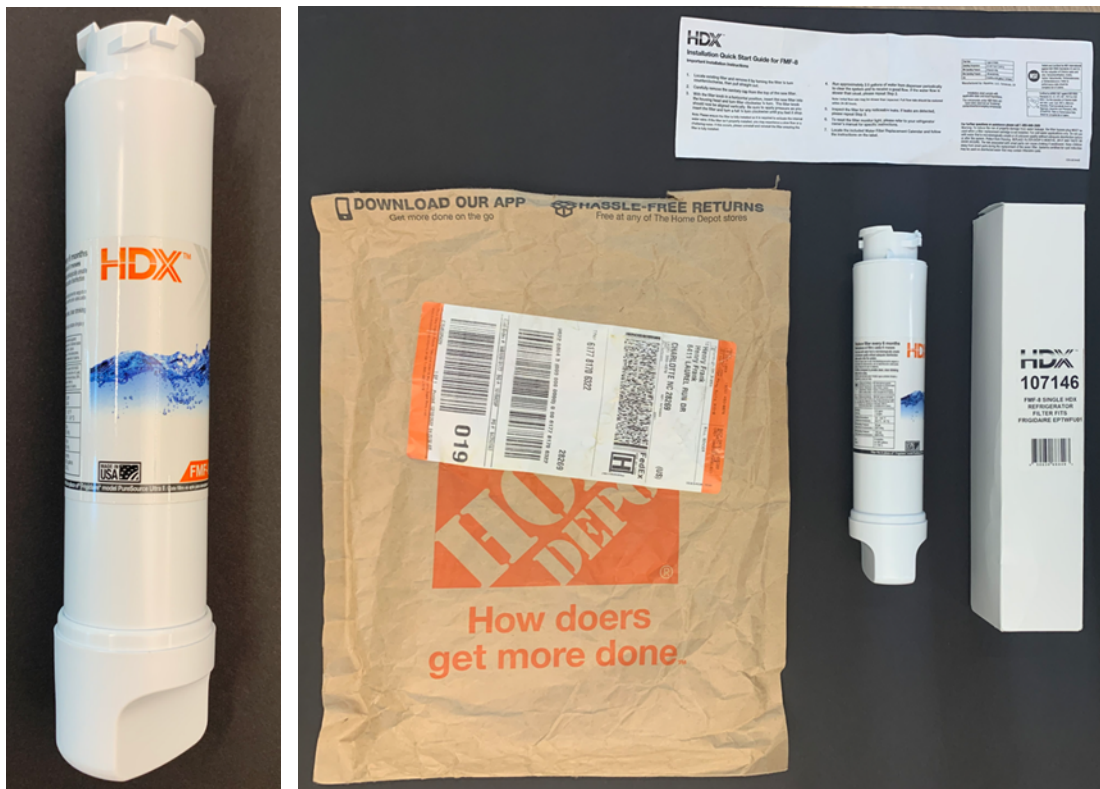
48. The D’382 Patent claims the non-functional, ornamental design for a filter cartridge end as shown below (Figs. 1 and 2), as well as the D’383 Patent’s other figures (*see Exhibit 3*, Claim 1):



1 49. Upon information and belief, Defendant makes, uses, imports, sells
2 and/or offers to sell the Accused Product under one or more brands including, but not
3 limited to, HDX in the United States, which embodies and/or practices the claimed
4 invention of the D’383 Patent. Specifically, the Accused Products are water filters that
5 embody the design covered by the D’383 Patent and thus infringe the D’383 Patent.

6 50. Upon information and belief, Defendant induces others to advertise, offer
7 for sale, and sell the Accused Product, which embodies and/or practices the claimed
8 invention of the D’383 Patent, to customers throughout the United States including the
9 State of California.

10 51. Below are images of the Accused Product designated as HDX branded
11 refrigerator water filters, Model No. FMF-8.



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1 52. On December 10, 2022, an example of the Accused Product, specifically
2 an HDX branded refrigerator water filter, Model No. FMF-8, was purchased from an
3 online source at the following URL: [https://www.homedepot.com/p/HDX-FMF-8-](https://www.homedepot.com/p/HDX-FMF-8-Premium-Refrigerator-Replacement-Filter-Fits-Frigidaire-PureSource-Ultra-II-107146/317554393#overlay)
4 [Premium-Refrigerator-Replacement-Filter-Fits-Frigidaire-PureSource-Ultra-II-](https://www.homedepot.com/p/HDX-FMF-8-Premium-Refrigerator-Replacement-Filter-Fits-Frigidaire-PureSource-Ultra-II-107146/317554393#overlay)
5 [107146/317554393#overlay](https://www.homedepot.com/p/HDX-FMF-8-Premium-Refrigerator-Replacement-Filter-Fits-Frigidaire-PureSource-Ultra-II-107146/317554393#overlay), as shown in **Exhibit 4**. This example of the Accused
6 Product was delivered to an address in Charlotte, North Carolina. The label on the
7 Accused Product identifies Defendant as the manufacturer of the of the Accused
8 Products, as shown below.



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53. The below images show side-by-side comparisons of Figures 1–5 of the D’383 Patent (*see Exhibit 2*), and respective photographs of the example of the Accused Product:

Table 3: Comparison of the D’383 Patent with the Accused Product

 <p>FIG. 1</p>		 <p>FIG. 2</p>		 <p>FIG. 3</p>	
 <p>FIG. 4</p>		 <p>FIG. 5</p>			

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1 54. The overall appearance of the ornamental design claimed in the D'383
2 Patent and the corresponding design of the Accused Product are substantially the
3 same. An ordinary observer familiar with the prior art in the water filter marketplace
4 would perceive the overall appearance of the ornamental design of the D'382 Patent
5 and the corresponding design of the Accused Product to be substantially the same if
6 not identical. Such an ordinary observer would be deceived into believing the design
7 of the Accused Product was the same as the ornamental design claimed in the D'383
8 Patent.

9 55. Electrolux has not granted a license or any other rights to Defendant to
10 manufacture, use, offer for sale, or sell the Accused Product.

11 56. Defendant has thus infringed, and continues to infringe, literally or under
12 the doctrine of equivalents, Electrolux's D'383 Patent, by making, using, importing,
13 selling and/or offering to sell in the United States, including within this judicial
14 district, the Accused Product during the pendency of the D'383 Patent, in violation of
15 35 U.S.C § 271(a).

16 57. Without authorization from Electrolux, Defendant has applied the D'382
17 patented design or a colorable imitation thereof, to its Accused Product for the
18 purpose of sale, and has sold and exposed for sale the Accused Product to which the
19 D'383 patented design or a colorable imitation thereof has been applied. Defendant is
20 therefore liable to Electrolux to the extent of Defendant's total profit for the Accused
21 Product, pursuant to 35 U.S.C § 289.

22 58. Defendant has also infringed, and continues to infringe, the claims of the
23 D'383 Patent by actively and knowingly inducing others to offer to sell, import,
24 and/or sell the Accused Product in the United States, including within this judicial
25 district. Sellers of the Accused Product who offer to sell, import, and/or sell the
26 Accused Product in accordance with the Defendant's instructions and/or
27 encouragement infringe the D'382 Patent in violation of 35 U.S.C § 271(a). Defendant
28 also induces infringement by others by failing to remove or diminish the infringing

1 features of the Accused Product. Defendant is thus liable for infringement of the
2 D'383 Patent under 35 U.S.C § 271(b).

3 59. Upon information and belief, Defendant has known of the existence of
4 the D'383 Patent, and its acts of infringement have been willful and in disregard for
5 the D'383 Patent, without any reasonable basis for believing that it had a right to
6 engage in the infringing conduct.

7 60. Defendant will have been on notice of the D'383 Patent since, the latest,
8 the service of this complaint upon it. By the time of trial, Defendant will have known
9 and intended (since receiving such notice) that its continued actions would infringe or
10 actively induce and contribute to the infringement of the D'383 Patent.

11 61. Defendant may have infringed the D'383 Patent through other water
12 filters using the overall appearance of the ornamental design of the D'383 Patent.

13 62. Electrolux has been damaged by Defendant's infringement of the D'383
14 Patent.

15 63. Upon information and belief, Defendant's infringement has been, and
16 continues to be knowing, intentional, and willful.

17 64. Defendant's acts of infringement of the D'383 Patent have caused and
18 will continue to cause Electrolux damages for which Electrolux is entitled to
19 compensation pursuant to 35 U.S.C. § 284.

20 65. Defendant's acts of infringement of the D'383 Patent have caused and
21 will continue to cause Electrolux immediate and irreparable harm unless such
22 infringing activities are enjoined by this Court pursuant to 35 U.S.C. § 283. Electrolux
23 has no adequate remedy at law, including loss of customers, loss of market-share,
24 price erosion, and loss of customer goodwill. Electrolux is thus entitled to a
25 preliminary and permanent injunction against Defendant's further infringement of the
26 D'383 Patent.

27 66. This case is exceptional and, therefore, Electrolux is entitled to an award
28 of attorney fees pursuant to 35 U.S.C. § 285.

1 **JURY DEMAND**

2 67. Pursuant to Rule 8 of the Federal Rules of Civil Procedure, Electrolux
3 demands a trial by jury on all issues triable as such.

4 **PRAYER FOR RELIEF**

5 **WHEREFORE**, Electrolux requests judgment against Defendant as follows:

- 6 A. Adjudging that Defendant has infringed, actively induced infringement
7 of, and/or contributorily infringed the Asserted Patents, in violation of 35
8 U.S.C. § 271(a), (b), and/or (c);
- 9 B. Granting an injunction enjoining Defendant, its employees, agents,
10 officers, directors, attorneys, successors, affiliates, subsidiaries, and
11 assigns, and all of those in active concert and participation with any of
12 the foregoing persons or entities from infringing, contributing to the
13 infringement of, or inducing infringement of the Asserted Patents;
- 14 C. Ordering Defendant to account and pay damages adequate to compensate
15 Electrolux for Defendant’s infringement of the Asserted Patents,
16 including for any infringing acts not presented at trial and pre-judgment
17 and post-judgment interest and costs, pursuant to 35 U.S.C. § 284;
- 18 D. Ordering Defendant to account and pay damages adequate to compensate
19 Electrolux to the extent of Defendant’s total profit for the Accused
20 Product, pursuant to 35 U.S.C § 289;
- 21 E. Ordering an accounting for any infringing sales not presented at trial and
22 awarding to Electrolux any additional damages for any such infringing
23 sales;
- 24 F. Ordering that the damages award be increased up to three times the actual
25 amount assessed, pursuant to 35 U.S.C. § 284;
- 26 G. Declaring this case exceptional and awarding Electrolux its reasonable
27 attorney fees and expenses pursuant to 35 U.S.C. § 285; and

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1 H. Awarding such other and further relief as this Court deems just and
2 proper.

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Dated: October 11, 2023

Respectfully submitted,

NICOLSON LAW GROUP, PC

/s/ Daniel S. Cho

Daniel S. Cho, Esq.

ELECTROLUX NORTH AMERICA, INC.

Ray Ashburg, Esq.

(Pro Hac Vice Application Pending)

BRADLEY ARANT BOULT

CUMMINGS, LLP

Matthew S. DeAntonio, Esq.

(Pro Hac Vice Application Pending)

Attorneys for Plaintiff,

ELECTROLUX HOME PRODUCTS, INC.

VERIFICATION

I, Jackie Orsini, being first duly sworn, depose and say that I have read the foregoing VERIFIED COMPLAINT; that factual allegations contained therein are true to the best of my knowledge; and as to those matters stated upon information and belief, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Date: Oct. 11, 2023

Jackie Orsini
Jackie Orsini
10200 David Taylor Dr.
Charlotte, NC 28262
*Director of Consumables & Accessories
for Electrolux Home Products, Inc.*

State of North Carolina)

)

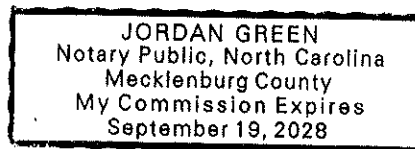
County of Mecklenburg)

I, **Jordan Green**, a Notary Public for said County and State, hereby certify that Jackie Orsini personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on this, the 11th day of October, 2023.

Jordan Green
Notary Public

Seal



MY COMMISSION EXPIRES: SEPTEMBER 19, 2028