

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ANGEL WATER, INC.,	)	
	)	Civil Action No. <u>24-cv-04550</u>
Plaintiff,	)	
	)	JURY TRIAL DEMANDED
v.	)	
	)	
ADAM’S WATER TREATMENT, INC.	)	
	)	
Defendant.	)	
_____	)	

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Angel Water, Inc. (“Plaintiff” or “Angel Water”), by and through its attorneys, complains of Defendant Adam’s Water Treatment, Inc. (“Defendant” or “Adam’s Water Treatment”) as follows:

**Nature of the Action**

1. This is an action for patent infringement brought against Defendant for infringement of United States Reissued Patent No. RE49,098 (“the ’098 Patent”).

**The Parties**

2. Angel Water is a corporation organized and existing under the laws of the State of Illinois, having a place of business at 28214 West Northwest Highway, Lake Barrington, Illinois 60010.

3. Upon information and belief, Defendant is a corporation organized and existing under the laws of the State of Illinois, having a place of business at 4203 West Orleans Street, McHenry, Illinois 60050.

**Jurisdiction and Venue**

4. This action arises under the Patent Act, 35 U.S.C. § 101 *et seq.*

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

6. This Court has jurisdiction over Defendant for at least the reason that Defendant is an Illinois corporation.

7. Venue is proper pursuant to 28 U.S.C. § 1400(b) for at least the reason that Defendant is an Illinois corporation.

8. Upon information and belief, Defendant transacts business in Illinois, at least by offering to sell, selling, and/or advertising water filtration systems that infringe the '098 Patent, in such a way as to reach customers in Illinois and in this District.

9. Upon information and belief, Defendant has committed acts of patent infringement in this District, and Defendant has a regular and established place of business in this District.

**Angel Water's '098 Patent**

10. The '098 Patent, titled "Water Flow Triggering of Chlorination Treatment," was duly and legally issued on June 7, 2022. A true and correct copy of the '098 Patent is attached as Exhibit A.

11. The '098 Patent issued from United States Application No. 16/989,388 ("the '388 Application"). The '388 Application was filed on August 10, 2020.

12. The '098 Patent is a reissue of United States Patent No. 10,501,348 ("the '348 Patent").

13. The claims of the '098 Patent are different than the claims of the '348 Patent.

14. Angel Water is the assignee and owns all right, title, and interest in the '098 Patent.

15. The '098 Patent is valid and enforceable.

**Angel Water's Chlorine Injection System**

16. Angel Water makes and sells water treatment systems. Angel Water's goal is to make its customer's water cleaner and healthier.

17. Angel Water's PurAclear® Chlorine Injection system ("PurAclear system") makes well water healthier, odor-free, and delicious by oxidizing toxins and killing bacteria in the water.

18. An image of the PurAclear system is shown below:



**Figure 1: Angel Water's PurAclear® Chlorine Injection System**

19. The PurAclear system practices the '098 Patent.

20. Angel Water mentions the '098 Patent in connection with the PurAclear system on Angel Water's website [angelwater.com](http://angelwater.com). A true and correct copy of a webpage from [angelwater.com](http://angelwater.com) related to the PurAClear system is attached as Exhibit B.

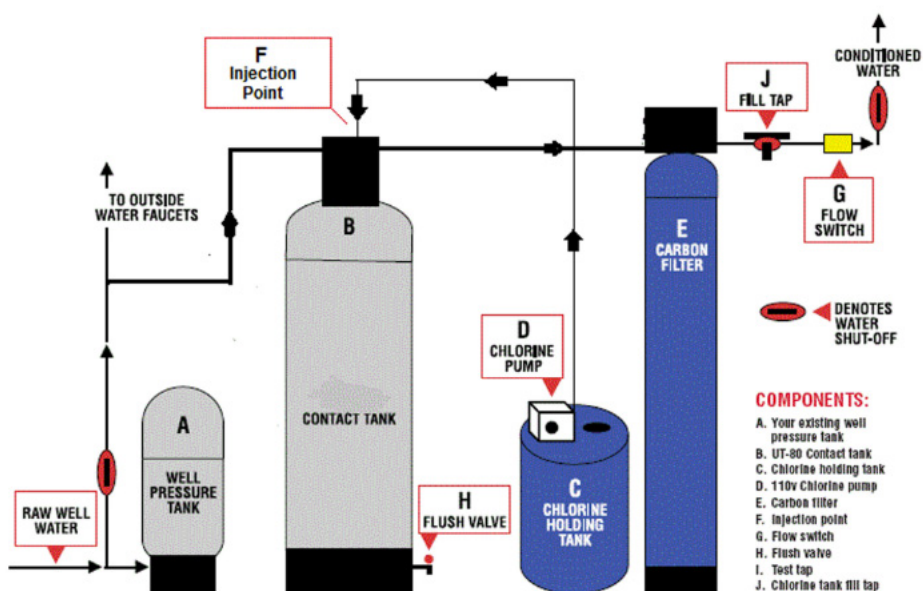
**Defendant’s Infringing System and Infringing Method**

21. Defendant is a water conditioning company.

22. Defendant’s products include a water filtration system (“the Infringing System” and as the water filtration system is used, “the Infringing Method”).

23. Defendant includes a drawing of the Infringing System on its website

<http://www.adamswatertreatment.com>:



**Figure 2: Drawing of the Infringing System**

24. A true and correct copy of <https://www.adamswatertreatment.com/solutions>, a webpage from adamswatertreatment.com related to the Infringing Product, is attached as Exhibit C.

25. Images of the Infringing System are shown below.



**Figure 3: Image of the Infringing System**



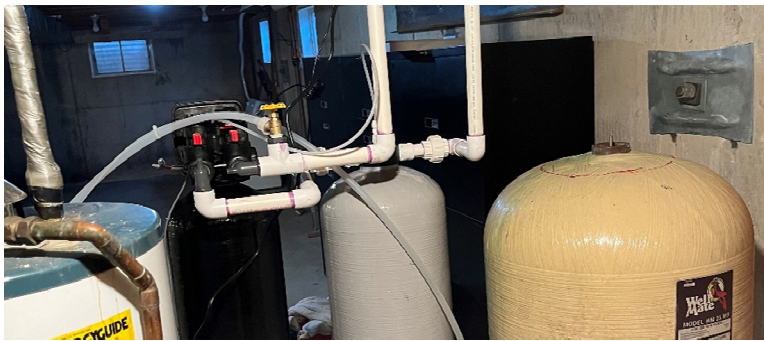
**Figure 4: Another Image of the Infringing System**



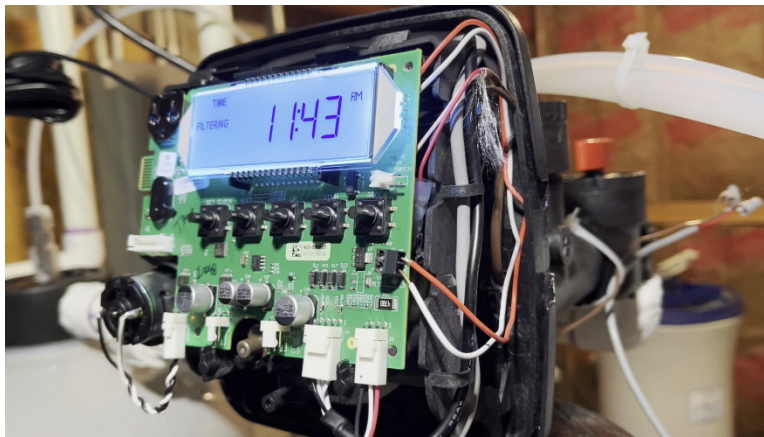
**Figure 5: Another Image of the Infringing System**



**Figure 6: Another Image of the Infringing System**



**Figure 7: Another Image of the Infringing System**



**Figure 8: Another Image of the Infringing System**

### **The Parties' Interaction Before this Action**

#### **A. Interaction Regarding the '098 Patent**

26. On February 19, 2024, Angel Water sent Defendant a letter that requested Defendant stop infringing the '098 Patent.

27. On April 8, 2024, Angel Water's attorney spoke with Defendant's attorney about Angel Water's February 19, 2024 letter.

28. During the April 8, 2024 call, Defendant's attorney stated that Defendant would provide a substantive response to Angel Water's February 19, 2024 letter by April 26, 2024.

29. Defendant never provided a substantive response to Angel Water's February 19, 2024 letter.

#### **B. Interaction Regarding the '348 Patent**

30. On April 13, 2020, Angel Water sent Defendant a letter that requested Defendant stop infringing the '348 Patent.

31. On April 13, 2020, the same day that Angel Water sent the letter regarding the '348 Patent, Mr. Adam Gagen of Defendant responded to Angel Water's letter by email.

32. In his April 13, 2020 email, Mr. Gagen stated "Please take a look on the internet and you will see a multitude of companies that have been using this equipment layout for 30 years" and cited a prior art reference that was not cited on the face of the '348 Patent.

33. Following Mr. Gagen's April 13, 2020 email, Angel Water filed the '388 Application.

34. During the prosecution of the '388 Application, Angel Water cited the prior art reference in Mr. Gagen's April 13, 2020 email as well as other prior art references that were not cited on the face of the '348 Patent.

**COUNT ONE**  
**Infringement of the '098 Patent**

35. Angel Water repeats and re-alleges paragraphs 1-34 as if fully set forth herein.

36. Defendant has directly infringed and continues to directly infringe, literally or under the doctrine of equivalents, one or more claims of the '098 Patent, including for example (but not limited to) at least Claims 1-5 and 10-11 under 35 U.S.C. § 271(a), by making, using, selling, and/or offering to sell within the United States, and/or importing into the United States the Infringing System and performing the Infringing Method in the United States.

37. Defendant's activities are without license or permission from Angel Water.

38. The Infringing System includes all elements of Claims 1-5 of the '098 Patent, either literally or equivalently, as shown in the claim charts incorporated by reference in this Complaint and attached as Exhibit D.

39. The Infringing Method includes all elements of Claims 10 and 11 of the '098 Patent for at least similar reasons as the Infringing System includes all elements of Claims 1 and 2 of the '098 Patent, as shown in Exhibit D.

40. Defendant has also indirectly infringed and continues to indirectly infringe, literally or under the doctrine of equivalents, one or more claims of the '098 Patent, including for example (but not limited to) at least Claims 1-5 and 10-11 under 35 U.S.C. § 271(b), by knowingly and actively inducing others to infringe these claims by making, using, selling, and/or offering to sell within the United States, and/or importing into the United States the Infringing System and performing the Infringing Method in the United States. Defendant has instructed its customers through its website to use the Infringing System in an infringing manner.

41. Defendant has had actual knowledge of the '098 Patent at least as of February 19, 2024. And yet, even with full knowledge of the '098 Patent, Defendant has continued to commit



acts of infringement and has failed to cease its infringing activities. Defendant's infringement has been, and continues to be, willful and deliberate.

42. Through the conduct alleged above, Defendant has caused and will continue to cause Angel Water to suffer damages, which in no event are less than a reasonable royalty, and which include, but are not limited to, lost sales and sales opportunities.

43. Defendant has also irreparably harmed Angel Water. Unless and until Defendant is enjoined by this Court from further infringement, Angel Water will continue to suffer damages and irreparable injury for which it has no adequate remedy at law.

#### **PRAYER FOR RELIEF**

WHEREFORE, Angel Water requests:

A. A judgment that Defendant has infringed and is infringing at least Claims 1-5 and 10-11 of the '098 Patent;

B. A judgment that Defendant's infringement was and is willful;

C. For a permanent injunction restraining Defendant, its officers, agents, servants, employees, attorneys and all other persons in active concert or participation with it, who receive actual notice of the Order, from: manufacturing, having manufactured, importing, selling, offering to sell, or distributing the Infringing System or any other infringing water filtration system;

D. That Angel Water be awarded monetary relief in an amount to be determined by the Court, including:

i. Damages adequate to compensate Angel Water for Defendant's infringement of the '098 Patent, and in no event less than a reasonable royalty for

Defendant's acts of infringement; and that such damages be enhanced due to Defendant's willful infringement.

- ii. Angel Water's reasonable attorney's fees connected with this action, pursuant to 35 U.S.C. § 285;
  - iii. Angel Water's costs connected with this action; and
  - vi. Pre-judgment interest from the date the infringement began and post-judgment interest at the maximum rate permitted by law; and
- E. Such other and further relief as the Court may deem just and reasonable.

### **DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury as to all issues so triable.

Respectfully submitted,

Date: May 31, 2024

/s/ James L. Lovsin  
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