

**IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO**

**EASY SOLAR PRODUCTS, INC., a Utah
corporation,**

Plaintiff,

v.

Case No.

UNIRAC, INC., a New Mexico corporation,

Defendant.

COMPLAINT

COMES NOW Plaintiff Easy Solar Products, Inc., by and through its counsel of record, Kercksmar & O'Hara PLLC (Sean J. O'Hara and Grant S. Cragun) and Hinkle Shanor, LLP (Kurt B. Gilbert), and for its complaint against defendant Unirac, Inc., alleges as follows:

NATURE OF THE CASE

1. This is a patent infringement action. Easy Solar Products, Inc. ("EZ Solar") and defendant Unirac, Inc. ("Unirac") manufacture and market roof-mounted junction boxes for solar panel arrays. In the residential solar market, EZ Solar is a market leader in solar enclosures and wire management that has developed innovative junction boxes. EZ Solar has gained its status as a market leader through its careful development and acquisition of unique, novel, and innovative inventions allowing for easier and faster installation of junction boxes. EZ Solar's intellectual property is protected by valid U.S. Patents dating back as early as 2019. EZ Solar was founded and is still led by former solar installers who are focused on innovating easier solutions to accelerate the adoption of renewables. It meets the Small Business Administration's (SBA) size standards for a small

business.

2. Unirac is a private-equity backed, multinational corporation and market leader in solar racking products. Unirac recently began making, using, selling, and offering to sell junction boxes that misappropriate EZ Solar's acquired novel and innovative patented inventions. Unirac has launched multiple products that infringe on EZ Solar's innovative patented inventions, the latest of which is so egregious that EZ Solar has been forced to take action. EZ Solar brings this action to enjoin Unirac from infringing its patents and to recover damages adequate to compensate for infringement, including but not limited to a reasonable royalty.

PARTIES, JURISDICTION, AND VENUE

3. EZ Solar is a Utah corporation with its principal place of business in Sandy, Utah.

4. Upon information and belief, Unirac, Inc. is a New Mexico corporation with its principal place of business in Albuquerque, New Mexico. Unirac also ships and sells products in, among other places, Bernalillo County, New Mexico.

5. As a result of Unirac's activity in New Mexico and principal place of business in New Mexico, this Court has personal jurisdiction over Unirac.

6. This Court has subject matter jurisdiction over EZ Solar's claims under 28 U.S.C. §§ 1331 and 1338(a) because this action is for patent infringement and arises under the patent laws of the United States, Title 35, Sections 271 et seq. of the United States Code.

7. Venue is proper in the United States District Court for the District of New Mexico

under 28 U.S.C. § 1391(b)-(c) because a substantial part of the events or omissions giving rise to EZ Solar's claims occurred in this District.

GENERAL ALLEGATIONS

EZ Solar holds patents for novel junction boxes.

8. Benjamin Wade has been in solar industry since the 2010s.
9. Mr. Wade is a former solar installer who personally installed solar panels and junction boxes on roofs over the course of many years.
10. During his time installing solar panels and junction boxes, Mr. Wade observed issues with installation of junction boxes, such as the inconvenience of the boxes needing to be attached to the roof and issues with installation speed, cost, and flexibility.
11. Ultimately, Mr. Wade (along with another inventor) developed various unique roof-mounted junction boxes for solar panel arrays.
12. One such invention by Mr. Wade, is described in the duly and legally issued U.S. Patent No. 12,003,085 (the "'085 Patent"). The '085 Patent has twenty claims:

1. A junction box comprising:
 - a housing comprising sidewalls and a bottom attached to the sidewalls, the bottom having an interior side and an exterior side, the exterior side of the bottom is configured to be mounted to a roof of a structure;
 - a weep hole defined in the housing;
 - a flashing attached to the housing and extending horizontally from the housing, the flashing formed with the housing;
 - a portion defined in the interior side of the bottom defined by a groove, the portion defining a position for creating a hole in the bottom; and
 - a plurality of fastener openings in the bottom, each fastener opening configured for a fastener positionable within the fastener opening, wherein securing a fastener through a fastener opening of the plurality of fastener openings contributes to securing the housing to the roof, wherein each of the plurality of fastener openings in the bottom comprises a boss, each boss extending away from a bottom interior surface of the bottom.
2. The junction box of claim 1, wherein a first thickness of the portion is less than a second thickness of the bottom.

3. The junction box of claim 1, wherein the weep hole is defined in the bottom.

4. The junction box of claim 1, wherein the weep hole is configured to permit fluid that is positioned within an internal volume of the housing to exit via the weep hole.

5. The junction box of claim 1, wherein each of the plurality of fasteners openings are located outside a perimeter defined by the groove.

6. The junction box of claim 5, further comprising a sealant on the exterior side of the bottom.

7. The junction box of claim 6, wherein the fastener is configured to compress the sealant against the roof.

8. The junction box of claim 1, further comprising an exterior groove on the exterior side of the bottom.

9. The junction box of claim 1, each of the bosses are configured to surround a portion of the fastener above a bottom plane at the bottom interior surface when the fastener is positioned in the fastener opening of the boss.

10. The junction box of claim 1, wherein the interior side of the bottom has a first thickness and the flashing has a second thickness.

11. The junction box of claim 10, wherein the first thickness is greater than the second thickness.

12. A junction box comprising:
a housing comprising sidewalls and a bottom attached to the sidewalls, the bottom have an interior side and an exterior side, the exterior side of the bottom is configured to be mounted to a roof of a structure;
a lid detachable coupled to the housing, the lid, the sidewalls, and the bottom defining a volume of the housing;
a weep hole defined in the housing;
a flashing attached to the housing and extending horizontally from the housing, the flashing formed with the housing;
a portion defined in the interior side of the bottom defined by a second groove, the portion defining a position for creating a hole in the bottom;
sealant disposed on the exterior side of the bottom;
a first fastener opening in the bottom outside the portion;

a second fastener opening in the bottom outside of the portion; and
a third fastener opening in the bottom outside of the portion, wherein the first fastener opening, the second fastener opening, and the third fastener opening are configured for a fastener installable in the fastener openings to compress the sealant and the housing against the roof.

13. The junction box of claim 12, wherein a first thickness of the portion is less than a second thickness of the bottom.

14. The junction box of claim 12, wherein the weep hole is defined in the bottom.

15. The junction box of claim 12, wherein the weep hole is configured to permit fluid that is positioned within an internal volume of the housing to exit via the weep hole.

16. The junction box of claim 12, wherein each of the first fastener opening, the second fastener opening, and the third fastener opening are defined outside a perimeter defined by the second groove.

17. The junction box of claim 12, further comprising a first groove in the exterior side of the bottom.

18. The junction box of claim 12, wherein the sealant is an adhesive material.

19. The junction box of claim 12, wherein the sealant is configured to adhere to the bottom of the housing.

20. A junction box comprising:
a housing comprising sidewalls and a bottom attached to the sidewalls, the bottom having an interior side and an exterior side, the exterior side of the bottom is configured to be mounted to a roof of a structure;
a lid detachable coupled to the housing, the lid, the sidewalls, and the bottom defining a volume of the housing;
a weep hole defined in the housing;
a flashing attached to the housing and extending horizontally from the housing, the flashing formed with the housing;
a portion defined in the interior side of the bottom defined by a groove, the portion defining a position for creating a hole in the bottom;
sealant disposed on the exterior side of the bottom; and
a plurality of fastener openings in the bottom, each fastener opening configured for a fastener positionable within the fastener opening, wherein

securing a fastener through a fastener opening of the plurality of fastener openings contributes to securing the housing to the roof,

wherein each of the plurality of fastener openings in the bottom comprises a boss, each boss extending away from a bottom interior surface of the bottom, and

wherein a thickness of the bottom is greater than a thickness of the flashing.

13. The '085 Patent has been validly assigned to EZ Solar.

14. Another such invention by Mr. Wade, is described in the duly and legally issued U.S. Patent No. 12,021,360 (the "'360 Patent"). The '360 Patent has eighteen claims:

1. A junction box comprising:

a housing comprising a top portion and a bottom portion, the top portion comprising an attachment portion, the bottom portion comprising a first portion on an exterior side of the housing and a second portion opposite the first portion, the first portion of the bottom portion configured to be mounted to a roof of a structure, the second portion comprising a groove defining an area for creating a hole in the bottom portion;

a first anchor opening in the bottom adjacent to a first side of the area;

a second anchor opening in the bottom adjacent to a second side of the area, wherein the housing is compressed against the roof structure in response to a first anchor being installed in the first anchor opening and/or a second anchor being installed in the second opening;

a lid configured to be mounted on the attachment portion of the housing; and

a retention system configured to retain the lid in proximity to the to the housing.

2. The junction box of claim 1, wherein the retention system comprises a hinge with a first portion of the hinge attached to the attachment portion of the housing and a second portion of the hinge attached to the lid.

3. The junction box of claim 1, wherein the retention system is configured to attach to a side of the housing and to the lid.

4. The junction box of claim 1, further comprising a flashing attached to the bottom portion of the housing and extending away from the bottom portion in a same plane as the bottom portion.

5. The junction box of claim 1, wherein an upper side of the housing

is rounded and/or pointed in a direction towards an apex of the slope of a roof.

6. The junction box of claim 1, wherein the attachment portion comprises one or more nodules and the lid is configured to attach to the attachment portion of the housing using one or more anchors secured to corresponding nodules of the one or more nodules.

7. The junction box of claim 1, wherein the lid is configured with a lip shaped to cover an opening of the attachment portion to environmentally seal an interior of the housing.

8. A junction box comprising:

a housing comprising a top portion and a bottom portion, the top portion comprising an attachment portion, the bottom portion comprising a first portion on an exterior side of the housing and a second portion opposite the first portion, the first portion of the bottom portion

configured to be mounted to a roof of a structure;

a lid configured to be mounted on the attachment portion of the housing; and

a retention system configured to retain the lid in proximity to the to the [sic] housing, wherein the second portion of the bottom portion comprises a drill zone marking on the second portion of the bottom portion along a perimeter of a central area of the second portion and/or within the central area, the drill zone configured for penetrations through the bottom portion and the roof into the structure.

9. The junction box of claim 8, further comprising a flashing attached to the bottom portion of the housing.

10. The junction box of claim 8, further comprising a sealant disposed on the first portion of the bottom portion, the sealant surrounding a central area of the bottom portion, the central area of the first portion corresponding to the central area of the second portion, the sealant surrounding at least an upper portion and side portions of the central area, wherein the upper portion is oriented toward an upper side of the bottom portion with respect to a slope of the roof.

11. The junction box of claim 10, further comprising a plurality of anchor openings in the bottom portion, each anchor opening configured for an anchor, wherein securing an anchor through an anchor opening of the plurality of anchor openings contributes to securing the housing to the roof and applies a force directed toward the roof that compresses a portion of the

sealant adjacent to and/or surrounding the anchor opening.

12. The junction box of claim 8, wherein the retention system comprises a hinge with a first portion of the hinge attached to the attachment portion of the housing and a second portion of the hinge attached to the lid.

13. The junction box of claim 8, wherein the retention system is configured to attach to the lid and to a side of the housing or to a flashing, the flashing attached to the bottom portion of the housing and extending away from the bottom portion in a same plane as the bottom portion.

14. A junction box comprising:

a housing comprising a top portion and a bottom portion, the top portion comprising an attachment portion, the bottom portion comprising a first portion on an exterior side of the housing and a second portion opposite the first portion, the first portion of the bottom portion

configured to be mounted to a roof of a structure;

a lid configured to be mounted on the attachment portion of the housing;

a flashing attached to the bottom portion of the housing and extending away from the bottom portion in a same plane as the bottom portion; and

a retention system configured to retain the lid in proximity to the to the [sic] housing.

15. The junction box of claim 1, wherein a plurality of anchor openings comprises the first anchor opening and the second anchor opening.

16. The junction box of claim 15, further comprising a sealant disposed on the first portion of the bottom portion, the sealant surrounding the area of the bottom portion, the area of the first portion corresponding to the area of the second portion, the sealant surrounding at least an upper portion and side portions of the area, wherein the upper portion is oriented toward an upper side of the bottom portion with respect to a slope of the roof.

17. The junction box of claim 16, wherein securing an anchor through each of the plurality of anchor openings contributes to securing the housing to the roof and applies a force directed toward the roof that compresses a portion of the sealant adjacent to and/or surrounding the area.

18. The junction box of claim 17, further comprising a compression ring positioned along the plurality of anchor openings, the compression ring

configured to stiffen the bottom portion of the housing, wherein each anchor positioned through the plurality of anchor openings and secured to the roof provides a force between the plurality anchor openings sufficient to compress the sealant to create a seal to the roof continuously along the compression ring.

15. The '360 Patent has been validly assigned to EZ Solar. The '085 Patent and the '360 Patent are collectively referred to in this Complaint as the Patents.

16. EZ Solar's JB-1.2 and JB-1.XL practice the inventions disclosed in the Patents.

Unirac infringes the EZ Solar Patents.

17. Upon information and belief, in 2023, Unirac began making, using, selling, and offering to sell products that infringed on the Patents. Specifically, Unirac began selling its "Solobox Comp" (the "Accused Product").

18. The Accused Product directly competes with and are nearly identical to products made by EZ Solar including, but not limited to, EZ Solar's JB-1.2 and JB-1.XL

19. The Accused Product is nearly identical to the JB-1.2 and directly infringes on the Patents.

20. For example, the Accused Product is junction box with several features meeting all the limitations of claim 1 of the '085 Patent.

21. It contains a housing comprising sidewalls and a bottom attached to the sidewalls, the bottom having an interior side and an exterior side, the exterior side of the bottom is configured to be mounted to a roof of a structure.

22. It has a weep hole defined in the housing.

23. It has a flashing attached to the housing and extending horizontally from the housing, the flashing formed with the housing.

24. It has a portion defined in the interior side of the bottom defined by a groove, the portion defining a position for creating a hole in the bottom.

25. It has a plurality of fastener openings in the bottom, each fastener opening configured for a fastener positionable within the fastener opening, wherein securing a

fastener through a fastener opening of the plurality of fastener openings contributes to securing the housing to the roof, wherein each of the plurality of fastener openings in the bottom comprises a boss, each boss extending away from a bottom interior surface of the bottom.

26. Beyond infringing claim 1 of the '085 Patent, the Accused Product also infringes claims 2-20 of the '085 Patent.

27. Additional allegations showing infringement of the '085 Patent, either directly by Unirac or through inducement of others or contributing to the infringement by others, are shown in **Exhibit 1** attached, which is incorporated by reference as if fully set forth herein.

28. The Accused Product also infringes the '360 Patent.

29. For example, the Accused Product is a junction box with several features meeting all the limitations of claim 1 of the '360 Patent.

30. The Accused Product has a housing comprising a top portion and a bottom portion, the top portion comprising an attachment portion, the bottom portion comprising a first portion on an exterior side of the housing and a second portion opposite the first portion, the first portion of the bottom portion configured to be mounted to a roof of a structure, the second portion comprising a groove defining an area for creating a hole in the bottom portion.

31. The Accused Product has a first anchor opening in the bottom adjacent to a first side of the area.

32. The Accused Product has a second anchor opening in the bottom adjacent to a second side of the area, wherein the housing is compressed against the roof structure in response to a first anchor being installed in the first anchor opening and/or a second anchor being installed in the second opening.

33. The Accused Product has a lid configured to be mounted on the attachment portion of the housing.

34. The Accused Product has a retention system configured to retain the lid in proximity to the to the housing.

35. Beyond infringing claim 1 of the 360 Patent, the Accused Product also infringes claims 2-4 and 6-18 of the '360 Patent.

36. Additional allegations showing infringement of the '360 Patent, either directly by Unirac or through inducement of others or contributing to the infringement by others, are shown in **Exhibit 2** attached, which is incorporated by reference as if fully set forth herein.

COUNT I: INFRINGEMENT OF THE '085 PATENT

37. EZ Solar incorporates the foregoing paragraphs by reference.

38. The '085 Patent is valid and enforceable.

39. Unirac has, without authority, consent, right, or license, and in direct infringement of the '085 Patent, made, used, offered for sale, and/or sold apparatuses protected by the '085 Patent.

40. EZ Solar has no adequate remedy at law for the harm caused by Unirac's acts.

41. EZ Solar has suffered monetary damages in an amount to be proven at trial.

42. EZ Solar is entitled to an accounting by Unirac of funds comprising all revenues received through the commercial exploitation of its infringing products, the imposition of a constructive trust for the benefit of EZ Solar for all such funds in the custody or control of Unirac, the assessment of a reasonable royalty for Unirac's use of EZ Solar's invention, and to all other damages to which EZ Solar may be entitled.

COUNT II: INFRINGEMENT OF THE '360 PATENT

43. EZ Solar incorporates the foregoing paragraphs by reference.

44. The '360 Patent is valid and enforceable.

45. Unirac has, without authority, consent, right, or license, and in direct infringement of the '360 Patent, made, used, offered for sale, and/or sold apparatuses

protected by the '360 Patent.

46. EZ Solar has no adequate remedy at law for the harm caused by Unirac's acts.

47. EZ Solar has suffered monetary damages in an amount to be proven at trial.

48. EZ Solar is entitled to an accounting by Unirac of funds comprising all revenues received through the commercial exploitation of its infringing products, the imposition of a constructive trust for the benefit of EZ Solar for all such funds in the custody or control of Unirac, the assessment of a reasonable royalty for Unirac's use of EZ Solar's invention, and to all other damages to which EZ Solar may be entitled.

WHEREFORE, EZ Solar prays for relief and judgment against Unirac, as follows:

- A. For a judicial determination and a declaration that the Patents are valid and enforceable;
- B. For a preliminary and then permanent injunction issued against Unirac, its agents, officers, directors, employees, attorneys, successors, and assigns, all parent and subsidiary entities, and all those acting for or on the behalf of Unirac, or in active concert, participation, or combination with them, including customers and distributors, prohibiting Unirac from:
 - i. Continuing acts of infringement of the Patents;
 - ii. Making, using, selling, and/or importing infringing products, to include any colorable imitation thereof; and
 - iii. Otherwise infringing upon the Patents;
- C. A judicial determination and a declaration that Unirac has infringed the Patents under 35 U.S.C. § 271, and final judgment incorporating the same;
- D. That an Order issue from this Court requiring Unirac, its officers, agents, servants and employees, to deliver up to this Court for destruction all articles and materials infringing upon the Patents and all materials for reproducing such infringing products;

- E. That Unirac be required to file with the Court within thirty (30) days after entry of an injunctive order or final judgment a written statement under oath setting forth the manner in which Unirac has complied with the order or final judgment;
- F. Directing Unirac to account for, and awarding to EZ Solar, all gains and profits realized through, and damages caused by, Unirac's manufacture, production, distribution, circulation, sale, offering for sale, advertising, promotion or display of its products infringing upon the Patents, and Unirac's total profit realized thereby;
- G. Awarding EZ Solar its damages sustained due to Unirac's infringement of the Patents;
- H. In the alternative, that a reasonable royalty for Unirac's infringement be awarded to EZ Solar pursuant to 35 U.S.C. § 284;
- I. That, due to the brazenness of Unirac's infringement, Unirac be ordered to pay EZ Solar's reasonable attorneys' fees and experts' fees pursuant to 35 U.S.C. § 285;
- J. An award of the costs of this action, including pre- and post-judgment interest, pursuant to 35 U.S.C. § 284; and
- K. For such other and further relief as this Court deems necessary, just and proper under the circumstances.

EZ Solar hereby demands a trial by jury on all counts and causes of action asserted in this matter.

DATED this 3rd day of July, 2024.

Respectfully submitted,

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