

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HARMAN INTERNATIONAL INDUSTRIES,
INC.,

Plaintiff,

v.

VOXX INTERNATIONAL CORP. and
KLIPSCH GROUP, INC.,

Defendants.

C.A. No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Harman International Industries Inc. (“Harman”), by and through its attorneys, brings this action against Defendants Voxx International Corp. (“Voxx International”) and Klipsch Group, Inc. (“Klipsch”) (collectively, “Voxx” or “Defendants”) and alleges as follows:

NATURE OF THE ACTION

1. This is a civil action for design patent infringement in violation of the patent laws of the United States, Title 35, United States Code, §§ 271 and 289. Defendants’ GigTM XXL Party Speaker (Accused Product) infringes the sole claim of U.S. Patent No. D913,991; the sole claim of U.S. Patent No. D914,639; the sole claim of U.S. Patent No. D918,173; the sole claim of U.S. Patent No. D921,612; the sole claim of U.S. Patent No. D944,772; the sole claim of U.S. Patent No. D1,000,419; the sole claim of U.S. Patent No. D1,000,420; the sole claim of U.S. Patent No. D1,001,775; the sole claim of U.S. Patent No. D1,008,220; the sole claim of U.S. Patent No. D1,011,314; the sole claim of U.S. Patent No. D1,012,068; the sole claim of U.S. Patent No. D1,012,897; and the sole claim of U.S. Patent No. D1,030,706 (collectively, the “Asserted Patents”).

THE PARTIES

2. Harman is a Delaware corporation with a principal place of business located at 8500 Balboa Boulevard, Northridge, California 91329.

3. On information and belief, Defendant Voxx International Corp. is a Delaware corporation with its principal place of business at 2351 J Lawson Boulevard, Orlando, FL 32824.

4. On information and belief, Defendant Klipsch Group is an Indiana corporation with its principal place of business at 3502 Woodview Trace, Suite 200, Indianapolis, IN 46268. Voxx International is the ultimate parent company of Klipsch.

5. On information and belief, Voxx International directs and dominates the operations, management, and activities of Klipsch such that Klipsch has no separate existence.

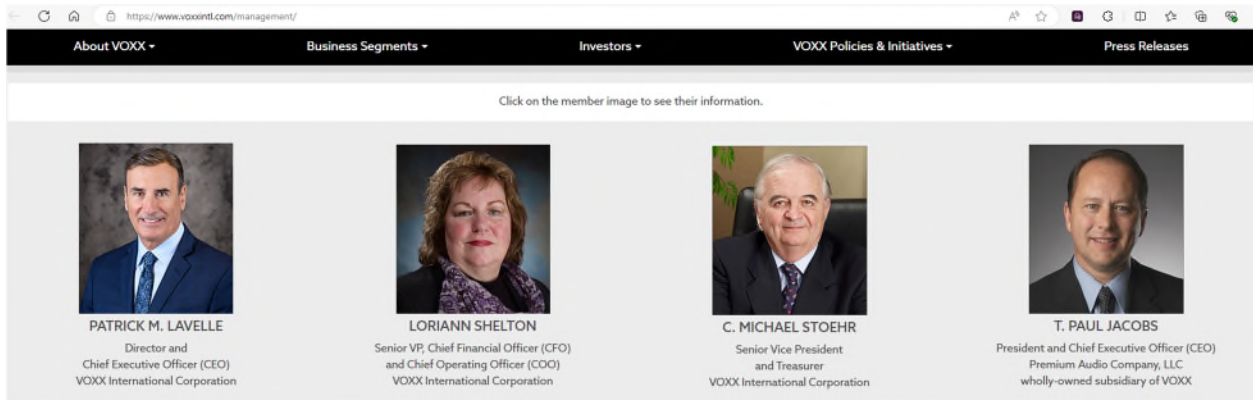
6. On information and belief, Klipsch operates as a subsidiary of Voxx International. *See* November 25, 2024 S&P Capital IQ Company Profile of Voxx International, attached hereto as Exhibit 1, at 4. In SEC filings, Voxx International refers to Klipsch as “fully integrated into the Company.” *See* Voxx International Form 10-K for the fiscal year ended Feb. 29, 2012, attached hereto as Exhibit 2, at 29.

7. On information and belief, Defendants operate in concert as integrated parts of the same business group and enter into agreements with each other that are nearer than arm’s length, including with respect to development, marketing, sale, offer for sale, and distribution of audio and electronic products throughout the United States, including into the District of Delaware, and including with respect to the Accused Product.

8. On information and belief, Defendants fail to observe corporate formalities and Defendants together, as agents of each other, participated in, assisted, and cooperated in the acts

complained of herein, and acted in concert for the manufacture, importation, marketing, and sale of the Accused Product.

9. On information and belief, Defendants share multiple corporate officers and directors. Voxx International’s website identifies T. Paul Jacobs, the President and CEO of Premium Audio Company, LLC, a wholly-owned subsidiary of Voxx International, as part of Voxx International’s management team.



See <https://www.voxxintl.com/management/>, last visited Dec. 20, 2024. T. Paul Jacobs is also the Chief Executive Officer and President of Klipsch. See November 25, 2024 S&P Capital IQ Company Profile of Klipsch, attached hereto as Exhibit 3, at 2. John J. Shalom is identified as both a “key board member” of Klipsch, see Exhibit 3, at 2, and the Chairman of the Board of Voxx International, see Exhibit 1, at 2.

10. On information and belief, Voxx International owns Klipsch’s corporate headquarters and principal place of business located at 3502 Woodview Trace, Suite 200, Indianapolis, IN 46268. See Feb. 29, 2012 10-K Form, Exhibit 2, at 32-33.

11. On information and belief, Voxx International reports Klipsch’s goodwill and revenue, along with those of its other subsidiaries, as part of its SEC filings. See Voxx International Form 10-K for the fiscal year ended Feb. 28, 2023, attached hereto as Exhibit 4, at 31.

12. On information and belief, after its March 1, 2011 acquisition of Klipsch, Voxx International assumed Klipsch's assets and liabilities, including "a note payable" with a balance of approximately \$870 that Voxx International stated would "be fully paid by the end of Fiscal 2018." *See* Feb. 29, 2012 10-K Form, Exhibit 2, at 69.

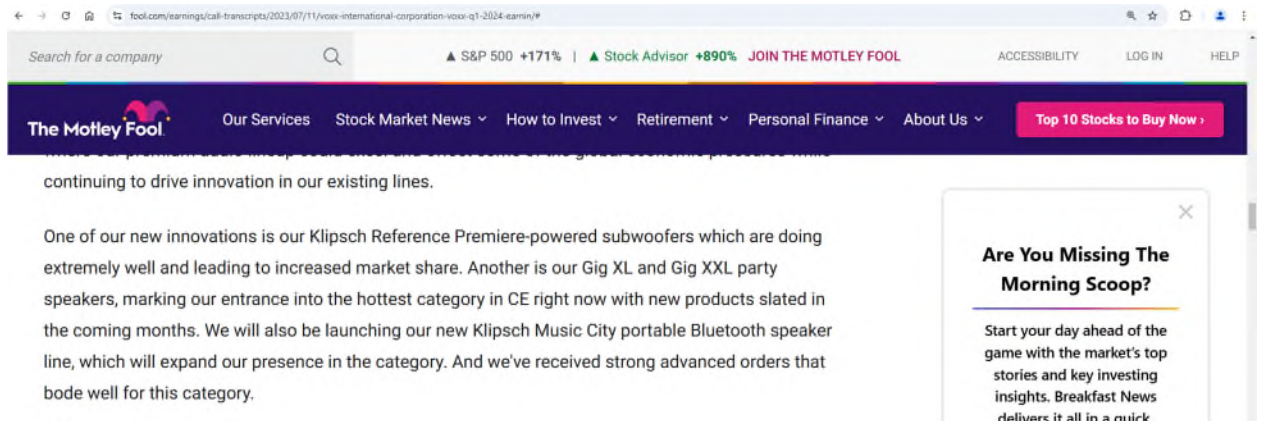
13. On information and belief, the Accused Product's packaging and user manual state both Voxx and Klipsch, noting that Klipsch is a wholly owned subsidiary of Voxx.



14. On information and belief, after its March 1, 2011 acquisition of Klipsch, Voxx International became the beneficiary of a key man life insurance policy related to a former Klipsch employee. On information and belief, Voxx International received the proceeds from this life insurance policy during the fiscal year ended February 29, 2020. *See* Voxx International Form 10-K for the fiscal year ended Feb. 28, 2021, attached hereto as Exhibit 5, at 45

15. On information and belief, Voxx International sponsors the 401(k) plan for Klipsch's employees. *See* Feb 28, 2023 10-K Form, Exhibit 4, at 10.

16. On information and belief, during Voxx International's July 11, 2023 Q1 2024 Earnings Call, Voxx International's CEO, Pat Lavelle, referred to Klipsch-branded products, including the Accused Product as belonging to Voxx International.



See <https://www.fool.com/earnings/call-transcripts/2023/07/11/voxx-international-corporation-voxx-q1-2024-earnin/#>, last visited Dec. 20, 2024.

JURISDICTION

17. This action arises under the patent laws of the United States, Title 35, United States Code, including 35 U.S.C. §§ 271, 281, and 289. The Court has subject matter jurisdiction over this action pursuant to the provisions of at least 28 U.S.C. §§ 1331 and 1338(a).

18. This Court has personal jurisdiction over Defendants pursuant to due process because, upon information and belief, Defendants have offered for sale and sold the Accused Product in the United States, including in the State of Delaware, on the internet, at least on the Amazon.com website, and have stocked the Accused Product on the shelves and through the distribution channels of national retailers doing business in the State of Delaware. Further, upon information and belief, the infringing products, including the Accused Product, have arrived in the State of Delaware through Defendants' purposeful shipment of the products through established distribution channels, at least through the Amazon.com website and through the Macys retail chain website Macys.com.

19. On information and belief, Defendants work jointly with each other on the distribution, shipment, and sale of the Accused Product nationwide, including in the State of Delaware, through the established distribution channels of at least Amazon.com and Macys.com.

20. This Court has personal jurisdiction over Voxx International pursuant to due process because, among other things, Voxx International has purposefully availed itself of the benefits and protections of Delaware’s laws such that it should reasonably anticipate being haled into court here. On information and belief, Voxx International is incorporated under the laws of Delaware, is qualified to do business in Delaware, and has appointed a registered agent for service of process in Delaware. It therefore has consented to general jurisdiction in Delaware. In addition, Voxx International, itself and through its affiliate Klipsch, manufactures, distributes, and sells automotive electronics, consumer electronics, and biometric products in the United States, including in the State of Delaware, and therefore has engaged in systematic and continuous business within the State of Delaware. For example, Voxx International, itself and through its affiliate Klipsch, distributes, offers for sale, and sells consumer electronics including soundbars and bookshelf speakers to retail stores, including Best Buy and Target, in the State of Delaware, and such retail stores sell such consumer electronics to end user customers.

21. This Court has personal jurisdiction over Klipsch because, upon information and belief and as alleged above, Voxx International dominates Klipsch such that Klipsch has no separate existence and is a mere alter ego of Voxx International, and this Court has personal jurisdiction over Voxx International.

22. This Court has personal jurisdiction over Klipsch pursuant to due process because, among other things, Klipsch, itself and through its parent company Voxx International, manufactures, distributes, and sells consumer electronics throughout the United States, including in the State of Delaware and/or has engaged in systematic and continuous business contacts within the State of Delaware. For example, Klipsch employs an authorized Klipsch Professional Representative for, *inter alia*, the State of Delaware, and its website instructs potential buyers to contact him “to inquire about

purchasing Klipsch Professional Products.” See <https://www.klipsch.com/pro/repes?state=DE>, last visited Dec. 19 2024. Klipsch also advertises on its website that it works with “professional audio rep firm partners” that “act as an extension of the brand in developing new relationships with customers to further enhance the Klipsch brand” in, *inter alia*, the State of Delaware. See <https://www.klipsch.com/news/pro-partners>, last visited Dec. 19, 2024. Additionally, Klipsch, itself and in concert with Vox International, distributes, offers for sale and sells consumer electronics including soundbars and bookshelf speakers to retail stores, including Best Buy and Target, in the State of Delaware, and such retail stores sell such consumer electronics to end user customers.

VENUE

23. Venue is proper in this district under at least 28 U.S.C. § 1400(b).

24. Venue is proper in this district as to Vox International pursuant to 28 U.S.C. § 1400(b) because, *inter alia*, Vox International is a corporation organized and existing under the laws of the State of Delaware such that it resides in this judicial district.

25. Venue is proper in this district as to Klipsch pursuant to 28 U.S.C. § 1400(b) because, upon information and belief and as alleged above, Vox International dominates Klipsch such that Klipsch has no separate existence and is a mere alter ego of Vox International, and Vox International is a corporation organized and existing under the laws of the State of Delaware such that it resides in this judicial district.

HARMAN AND THE JBL PARTYBOX

26. Harman designs and engineers connected products and solutions for automakers, consumers, and enterprises worldwide, including car systems, audio and visual products, enterprise automation solutions, and connected services.

27. Harman's family of products includes some of the world's most renowned personal and professional audio-visual electronics brands, including JBL®, AKG®, Crown®, harman/kardon®, Lexicon®, Infinity®, dbx®, and Soundcraft®.

28. Harman is committed to bringing the most innovative technology and designs to the market, and Harman dedicates substantial resources towards product research and development. Harman and its subsidiaries have over 8,000 issued patents worldwide, including over 450 U.S. design patents and over 1,700 U.S. utility patents.

29. Harman's JBL brand offers innovative home audio products, soundbars, stereo electronics, headphones, earbuds, automobile systems, and portable powered speakers. One recent example of JBL innovation is the JBL PartyBox line of Bluetooth-enabled, illuminated party speakers.



*JBL PartyBox 300 Illuminated
Loudspeaker*

*JBL PartyBox 100 Illuminated
Loudspeaker*

30. By 2018, Harman introduced the first JBL PartyBox portable powered speaker. Since then, multiple generations of PartyBox products have been introduced.

31. The PartyBox illuminated speaker created a significant demand for high-quality illuminated speakers. The retail price of the current generation of PartyBox speakers ranges from approximately \$350–850 USD.

32. JBL’s PartyBox speakers are transportable and splashproof and pack a high-quality, powerful loudspeaker into an aesthetically pleasing outer shell with an accompanying illuminated light show.

HARMAN’S DESIGN PATENTS

33. To protect the unique, ornamental, and aesthetic appearance of certain of JBL’s illuminated party speaker designs, Harman obtained U.S. Design Patent Nos. D913,991; D914,639; D918,173; D921,612; D944,772; D1,000,419; D1,000,420; D1,001,775; D1,008,220; D1,011,314; D1,012,068; D1,012,897; and D1,030,706. The patents are each titled “Illuminated Loudspeaker.”

34. The design of the loudspeaker exterior and the illuminated light show patterns visually distinguish the JBL PartyBox products from other portable powered speakers on the market.

35. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D913,991 (the “’991 patent”) titled “Illuminated Loudspeaker.”

36. On May 16, 2019, Harman caused design patent application no. 29/691,511 to be filed with the United States Patent and Trademark Office. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application duly and legally issued on March 23, 2021 as the ’991 patent. Harman retains all right, title, and interest in the ’991 patent. A true and correct copy of the ’991 patent is attached hereto as Exhibit 6.

37. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D914,639, (the “D’639 patent”) titled “Illuminated Loudspeaker.”

38. On May 16, 2019, Harman caused design patent application no. 29/691,496 to be filed with the United States Patent and Trademark Office. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application duly and legally issued on March 30, 2021 as the D’639 patent. Harman retains all right, title, and interest in the D’639 patent. A true and correct copy of the D’639 patent is attached hereto as Exhibit 7.

39. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D918,173 (the “D’173 patent”) titled “Illuminated Loudspeaker.”

40. On May 16, 2019, Harman caused design patent application no. 29/691,504 to be filed with the United States Patent and Trademark Office. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application duly and legally issued on May 4, 2021 as the D’173 patent. Harman retains all right, title, and interest in the D’173 patent. A true and correct copy of the D’173 patent is attached hereto as Exhibit 8.

41. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D921,612, (the “D’612 patent”) titled “Illuminated Loudspeaker.”

42. On May 16, 2019, Harman caused design patent application no. 29/691,521 to be filed with the United States Patent and Trademark Office. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application

duly and legally issued on June 8, 2021 as the D'612 patent. Harman retains all right, title, and interest in the D'612 patent. A true and correct copy of the D'612 patent is attached hereto as Exhibit 9.

43. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D944,772, (the "D'772 patent") titled "Illuminated Loudspeaker."

44. On June 3, 2021, Harman caused design patent application no. 29/786,963 to be filed with the United States Patent and Trademark Office, with priority to May 16, 2019. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application duly and legally issued on March 1, 2022 as the D'772 patent. Harman retains all right, title, and interest in the D'772 patent. A true and correct copy of the D'772 patent is attached hereto as Exhibit 10.

45. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D1,000,419, (the "D'419 patent") titled "Illuminated Loudspeaker."

46. On March 20, 2023, Harman caused design patent application no. 29/872,810 to be filed with the United States Patent and Trademark Office, with priority to May 16, 2019. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application duly and legally issued on October 3, 2023 as the D'419 patent. Harman retains all right, title, and interest in the D'419 patent. A true and correct copy of the D'419 patent is attached hereto as Exhibit 11.

47. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D1,000,420, (the "D'420 patent") titled "Illuminated Loudspeaker."

48. On March 21, 2023, Harman caused design patent application no. 29/872,883 to be filed with the United States Patent and Trademark Office, with priority to May 16, 2019. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application duly and legally issued on October 3, 2023 as the D'420 patent. Harman retains all right, title, and interest in the D'420 patent. A true and correct copy of the D'420 patent is attached hereto as Exhibit 12.

49. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D1,001,775, (the "D'775 patent") titled "Illuminated Loudspeaker."

50. On March 22, 2023, Harman caused design patent application no. 29/872,924 to be filed with the United States Patent and Trademark Office. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application duly and legally issued on October 17, 2023 as the D'775 patent. Harman retains all right, title, and interest in the D'775 patent. A true and correct copy of the D'775 patent is attached hereto as Exhibit 13.

51. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D1,008,220, (the "D'220 patent") titled "Illuminated Loudspeaker."

52. On March 14, 2023, Harman caused design patent application no. 29/872/512 to be filed with the United States Patent and Trademark Office, with priority to May 16, 2019. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application duly and legally issued on December 19, 2023 as the D'220

patent. Harman retains all right, title, and interest in the D'220 patent. A true and correct copy of the D'220 patent is attached hereto as Exhibit 14.

53. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D1,011,314, (the "D'314 patent") titled "Illuminated Loudspeaker."

54. On March 15, 2023, Harman caused design patent application no. 29/872,578 to be filed with the United States Patent and Trademark Office, with priority to May 16, 2019. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application duly and legally issued on January 16, 2024 as the D'314 patent. Harman retains all right, title, and interest in the D'314 patent. A true and correct copy of the D'314 patent is attached hereto as Exhibit 15.

55. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D1,012,068, (the "D'068 patent") titled "Illuminated Loudspeaker."

56. On March 17, 2023, Harman caused design patent application no. 29/872,709 to be filed with the United States Patent and Trademark Office, with priority to May 16, 2019. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application duly and legally issued on January 23, 2024 as the D'068 patent. Harman retains all right, title, and interest in the D'068 patent. A true and correct copy of the D'068 patent is attached hereto as Exhibit 16.

57. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D1,012,897 (the "D'897 patent") titled "Illuminated Loudspeaker."

58. On March 16, 2023, Harman caused design patent application no. 29/872,653 to be filed with the United States Patent and Trademark Office, with priority to May 16, 2019. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application duly and legally issued on January 30, 2024 as the D'897 patent. Harman retains all right, title, and interest in the D'897 patent. A true and correct copy of the D'897 patent is attached hereto as Exhibit 17.

59. To protect the ornamental appearance of certain of the JBL PartyBox products, Harman obtained U.S. Design Patent No. D1,030,706, (the "D'706 patent") titled "Illuminated Loudspeaker."

60. On December 6, 2023, Harman caused design patent application no. 29/919,772 to be filed with the United States Patent and Trademark Office, with priority to May 16, 2019. The application sought protection for an illumination design on the face of a loudspeaker by Harman employee Hyo Jin Kim. The application duly and legally issued on June 11, 2024 as the D'706 patent. Harman retains all right, title, and interest in the D'706 patent. A true and correct copy of the D'706 patent is attached hereto as Exhibit 18.

61. The innovative designs claimed the Asserted Patents reflect a visually distinct and readily distinguishable speaker product from other portable powered speakers on the market.

DEFENDANTS' INFRINGING CONDUCT

62. Upon information and belief, Defendants are competitors in the market for portable speakers, headphones, and home audio products.

63. On or about June 21, 2023, Defendants began marketing the Accused Product.

64. The Accused Product retails for substantially less than the comparable JBL PartyBox products at national retailers.

65. Defendants have imported, made, marketed, offered for sale, and/or sold the Accused Product in the United States, and continue to do so today.

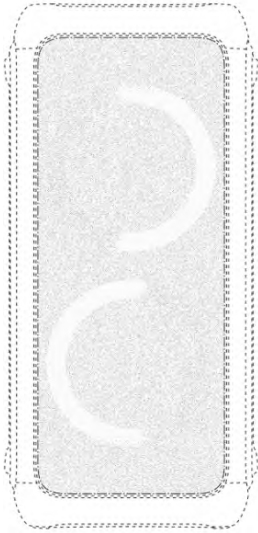


66. On information and belief, Voxx International imports, makes, markets, offers for sale, and/or sells the Accused Product in the United States. For example, the Accused Product is sold with a manual and outer packaging that display Voxx International branding. Exhibit 19 attached hereto is the manual sold with the Accused Product. Exhibit 20 attached hereto is an image that shows the outer packaging of the Accused Product.

67. Klipsch, upon information and belief, as an alter ego of Voxx International, imports, makes, markets, offers for sale, and/or sells the Accused Product in the United States. Exhibit 21 and Exhibit 22 attached hereto are images that shows the Accused Product for sale on the Klipsch website as of December 20, 2024. The Accused Product's specification sheet available on Klipsch's website also displays Voxx International's name. *See* Exhibit 23 attached hereto.


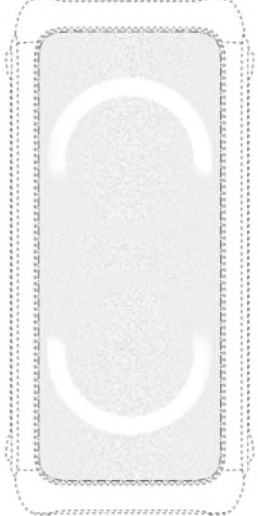

68. The design of the Accused Product is a deceptive imitation of the designs claimed in the Asserted Patents and is substantially the same in overall appearance through the eye of an ordinary observer. Specifically, the ordinary observer seeking to purchase a portable powered speaker would be so deceived as to purchase the Accused Product rather than certain of the JBL Party Box Speakers, believing the Accused Product to be substantially the same as the claimed designs of the Asserted Patents.




69. Notwithstanding Harman's commercialization of the designs claimed in the Asserted Patents in the form of certain models of the JBL PartyBox speakers, Defendants have manufactured, imported, offered for sale, and/or sold speakers which are copies of the design claimed in the Asserted Patents and indistinguishable to the ordinary observer.




70. The similarity of the Accused Product to an exemplary JBL PartyBox 100 and JBL PartyBox 300 Illuminated Loudspeaker and to exemplary figures from the D’420, D’772, and D’897 patent can be seen below:




JBL PartyBox 100	D’420 Patent	Klipsch Gig XXL
		
		

JBL PartyBox 300	D'420 Patent	Klipsch Gig XXL
		
		

JBL PartyBox 100	D'772 Patent	Klipsch Gig XXL
		

JBL PartyBox 300	D'772 Patent	Klipsch Gig XXL
		

JBL PartyBox 100	D'897 Patent	Klipsch Gig XXL
 A photograph of a black JBL PartyBox 100 portable speaker. The speaker features two circular drivers, each with a distinctive purple mesh grille. The JBL logo is visible in the center between the two drivers.	 A technical drawing of a speaker enclosure, likely representing the D'897 Patent. It shows a black rectangular enclosure with two circular drivers, each with a purple mesh grille, arranged vertically. The drawing includes various cutaway and perspective views to illustrate the internal structure and the placement of the drivers.	 A photograph of a Klipsch Gig XXL portable speaker. The speaker has a black mesh grille and features two circular drivers, each with a purple mesh grille. The Klipsch logo is visible in the center between the two drivers.

JBL PartyBox 300	D'897 Patent	Klipsch Gig XXL
 A photograph of a black JBL PartyBox 300 portable speaker. The speaker features two circular drivers, each with a distinctive purple mesh grille. The JBL logo is visible in the center between the two drivers.	 A technical drawing of a speaker enclosure, likely representing the D'897 Patent. It shows a black rectangular enclosure with two circular drivers, each with a purple mesh grille, arranged vertically. The drawing includes various cutaway and perspective views to illustrate the internal structure and the placement of the drivers.	 A photograph of a Klipsch Gig XXL portable speaker. The speaker has a black mesh grille and features two circular drivers, each with a purple mesh grille. The Klipsch logo is visible in the center between the two drivers.

71. Harman products embody the claimed design or design sequence in each Asserted Patent, including at least the JBL PartyBox 100 and JBL PartyBox 300 models.

72. Harman has not granted a license or any other authorization to Defendants to make, use, offer to sell, sell, or import portable speakers that embody the designs of the Asserted Patents and which are proprietary to Harman.

73. On September 1, 2023, Harman asked Paul Jacobs, the president and CEO of Klipsch, to agree to immediately stop manufacturing, importing, distributing, and selling the Accused Product, and identified the following Asserted Patents: D918,173, D913,991, D914,639, D921,612, and D944,772 via email.

74. On September 6, 2023, Harman's request was escalated to Pat Lavelle, the President and CEO of Voxx International.

75. On September 6, 2023, via email, Harman reiterated to Mr. Lavelle and Mr. Jacobs that it believed that the Klipsch GIG XXL was covered by one or more claims of U.S. Patent Nos. D918,173, D913,991, D914,639, D921,612, and D944,772. The matter was referred to counsel.

76. On October 2, 2023, through counsel, Harman informed Voxx for a third time that U.S. Patent Nos. D918,173, D913,991, D914,639, D921,612, and D944,772 were relevant to Klipsch's Gig Party Speakers. Harman also informed counsel that it had a number of pending design patent applications relevant to the Klipsch Gig Party Speakers.

77. On October 27, 2023, Voxx proposed a redesign of the Accused Product in light of the Asserted Patents. On information and belief, Voxx never implemented this redesign.

78. Each of the identified U.S. Patent Nos. D913,991, D914,639, D918,173, D921,612, and D944,772 are asserted in this case and had issued by October 2, 2023. The remaining Asserted Patents are continuations of identified Patent No. D921,612 and issued between October 3, 2023 and June 11, 2024.

79. Accordingly, on information and belief, at all relevant times to this action, Defendants knew of and/or were willfully blind to the Asserted Patents.

80. Even after Defendants were informed of their infringing activities at least as early as September 1, 2023, and relevant Harman design patents (including issued and then-pending members of the Asserted Patent family) were identified, on information and belief Klipsch and Voxx have continued to manufacture and sell the Accused Product.

81. On information and belief, Defendants have induced infringement of the Asserted Patents by actively and knowingly inducing others to manufacture, offer for sale, and or sell the Accused Product with knowledge of the Accused Product's infringing nature.

82. Upon information and belief, in addition to selling the Accused Product itself, Defendants are selling and/or distributing the Accused Product through a nationwide network of affiliated and unaffiliated retailers.

83. Defendants' actions are causing and are likely to continue causing monetary damages, including lost profits.

COUNT I
INFRINGEMENT OF THE D'991 PATENT

84. Harman repeats and re-alleges paragraphs 1-83 as if fully set forth herein.

85. US Patent No. D913,991 was duly and lawfully issued by the United States Patent and Trademark Office on March 23, 2021. Harman is the owner of the entire right, title, and interest in the D'991 patent and possesses all rights of recover under the patent, including the right to recover damages.

86. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, September 1, 2023.

87. Klipsch and Voxx International have been and are now infringing Harman's D'991 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

88. Attached as Appendix A is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'991 patent to an ordinary observer.

89. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'991 patent, including, but not limited to, the Accused Product.

90. Klipsch and Voxx International have also infringed the D'991 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'991 patent.

91. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'991 patent throughout the United States including here in the District of Delaware.

92. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'991 patent.

93. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'991 patent.

COUNT II
INFRINGEMENT OF THE D'639 PATENT

94. Harman repeats and re-alleges paragraphs 1-93 as if fully set forth herein.

95. US Patent No. D914,639 was duly and lawfully issued by the United States Patent and Trademark Office on March 30, 2021.

96. Harman is the owner of the entire right, title, and interest in the D'639 patent and possesses all rights of recover under the patent, including the right to recover damages.

97. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, September 1, 2023.

98. Klipsch and Voxx International have been and are now infringing Harman's D'639 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

99. Attached as Appendix B is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'639 patent to an ordinary observer.

100. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'639 patent, including, but not limited to, the Accused Product.

101. Klipsch and Voxx International have also infringed the D'639 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'639 patent.

102. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'639 patent throughout the United States including here in the District of Delaware.

103. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx

International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'639 patent.

104. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'639 patent.

COUNT III
INFRINGEMENT OF THE D'173 PATENT

105. Harman repeats and re-alleges paragraphs 1-104 as if fully set forth herein.

106. US Patent No. D918,173 was duly and lawfully issued by the United States Patent and Trademark Office on May 4, 2021.

107. Harman is the owner of the entire right, title, and interest in the D'173 patent and possesses all rights of recover under the patent, including the right to recover damages.

108. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, September 1, 2023.

109. Klipsch and Voxx International have been and are now infringing Harman's D'173 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

110. Attached as Appendix C is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'173 patent to an ordinary observer.

111. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'173 patent, including, but not limited to, the Accused Product.

112. Klipsch and Voxx International have also infringed the D'173 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'173 patent.

113. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'173 patent throughout the United States including here in the District of Delaware.

114. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'173 patent.

115. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'173 patent.

COUNT IV
INFRINGEMENT OF THE D'612 PATENT

116. Harman repeats and re-alleges paragraphs 1-115 as if fully set forth herein.

117. US Patent No. D921,612 was duly and lawfully issued by the United States Patent and Trademark Office on June 8, 2021.

118. Harman is the owner of the entire right, title, and interest in the D'612 patent and possesses all rights of recover under the patent, including the right to recover damages.

119. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, September 1, 2023.

120. Klipsch and Voxx International have been and are now infringing Harman's D'612 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

121. Attached as Appendix D is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'612 patent to an ordinary observer.

122. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'612 patent, including, but not limited to, the Accused Product.

123. Klipsch and Voxx International have also infringed the D'612 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'612 patent.

124. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'612 patent throughout the United States including here in the District of Delaware.

125. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'612 patent.

126. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'612 patent.

COUNT V
INFRINGEMENT OF THE D'772 PATENT

127. Harman repeats and re-alleges paragraphs 1-126 as if fully set forth herein.

128. US Patent No. D944,772 was duly and lawfully issued by the United States Patent and Trademark Office on March 1, 2022.

129. Harman is the owner of the entire right, title, and interest in the D'772 patent and possesses all rights of recover under the patent, including the right to recover damages.

130. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, September 1, 2023.

131. Klipsch and Voxx International have been and are now infringing Harman's D'772 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

132. Attached as Appendix E is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'772 patent to an ordinary observer.

133. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'772 patent, including, but not limited to, the Accused Product.

134. Klipsch and Voxx International have also infringed the D'772 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'772 patent.

135. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'772 patent throughout the United States including here in the District of Delaware.

136. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'772 patent.

137. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'772 patent.

COUNT VI
INFRINGEMENT OF THE D'419 PATENT

138. Harman repeats and re-alleges paragraphs 1-137 as if fully set forth herein.

139. US Patent No. D1,000,419 was duly and lawfully issued by the United States Patent and Trademark Office on October 3, 2023.

140. Harman is the owner of the entire right, title, and interest in the D'419 patent and possesses all rights of recover under the patent, including the right to recover damages.

141. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, October 3, 2023.

142. Klipsch and Voxx International have been and are now infringing Harman's D'419 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

143. Attached as Appendix F is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'419 patent to an ordinary observer.

144. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'419 patent, including, but not limited to, the Accused Product.

145. Klipsch and Voxx International have also infringed the D'419 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'419 patent.

146. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'419 patent throughout the United States including here in the District of Delaware.

147. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'419 patent.

148. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'419 patent.

COUNT VII
INFRINGEMENT OF THE D'420 PATENT

149. Harman repeats and re-alleges paragraphs 1-149 as if fully set forth herein.

150. US Patent No. D1,000,420 was duly and lawfully issued by the United States Patent and Trademark Office on October 3, 2023.

151. Harman is the owner of the entire right, title, and interest in the D'420 patent and possesses all rights of recover under the patent, including the right to recover damages.

152. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, October 3, 2023.

153. Klipsch and Voxx International have been and are now infringing Harman's D'420 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

154. Attached as Appendix G is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'420 patent to an ordinary observer.

155. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'420 patent, including, but not limited to, the Accused Product.

156. Klipsch and Voxx International have also infringed the D'420 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'420 patent.

157. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'420 patent throughout the United States including here in the District of Delaware.

158. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'420 patent.

159. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'420 patent.

COUNT VIII
INFRINGEMENT OF THE D'775 PATENT

160. Harman repeats and re-alleges paragraphs 1-160 as if fully set forth herein.

161. US Patent No. D1,001,775 was duly and lawfully issued by the United States Patent and Trademark Office on October 17, 2023.

162. Harman is the owner of the entire right, title, and interest in the D'775 patent and possesses all rights of recover under the patent, including the right to recover damages.

163. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, October 17, 2023.

164. Klipsch and Voxx International have been and are now infringing Harman's D'775 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

165. Attached as Appendix H is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'775 patent to an ordinary observer.

166. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'775 patent, including, but not limited to, the Accused Product.

167. Klipsch and Voxx International have also infringed the D'775 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'775 patent.

168. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'775 patent throughout the United States including here in the District of Delaware.

169. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'775 patent.

170. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'775 patent.

COUNT IX
INFRINGEMENT OF THE D'220 PATENT

171. Harman repeats and re-alleges paragraphs 1-170 as if fully set forth herein.

172. US Patent No. D1,008,220 was duly and lawfully issued by the United States Patent and Trademark Office on December 19, 2023.

173. Harman is the owner of the entire right, title, and interest in the D'220 patent and possesses all rights of recover under the patent, including the right to recover damages.

174. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, December 19, 2023.

175. Klipsch and Voxx International have been and are now infringing Harman's D'220 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

176. Attached as Appendix I is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'220 patent to an ordinary observer.

177. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'220 patent, including, but not limited to, the Accused Product.

178. Klipsch and Voxx International have also infringed the D'220 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'220 patent.

179. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'220 patent throughout the United States including here in the District of Delaware.

180. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx

International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'220 patent.

181. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'220 patent.

COUNT X
INFRINGEMENT OF THE D'314 PATENT

182. Harman repeats and re-alleges paragraphs 1-181 as if fully set forth herein.

183. US Patent No. D1,011,314 was duly and lawfully issued by the United States Patent and Trademark Office on January 16, 2024.

184. Harman is the owner of the entire right, title, and interest in the D'314 patent and possesses all rights of recover under the patent, including the right to recover damages.

185. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, January 16, 2024.

186. Klipsch and Voxx International have been and are now infringing Harman's D'314 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

187. Attached as Appendix J is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'314 patent to an ordinary observer.

188. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'314 patent, including, but not limited to, the Accused Product.

189. Klipsch and Voxx International have also infringed the D'314 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'314 patent.

190. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'314 patent throughout the United States including here in the District of Delaware.

191. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'314 patent.

192. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'314 patent.

COUNT XI
INFRINGEMENT OF THE D'068 PATENT

193. Harman repeats and re-alleges paragraphs 1-192 as if fully set forth herein.

194. US Patent No. D1,012,068 was duly and lawfully issued by the United States Patent and Trademark Office on January 23, 2024.

195. Harman is the owner of the entire right, title, and interest in the D'068 patent and possesses all rights of recover under the patent, including the right to recover damages.

196. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, January 23, 2024.

197. Klipsch and Voxx International have been and are now infringing Harman's D'068 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

198. Attached as Appendix K is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'068 patent to an ordinary observer.

199. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'068 patent, including, but not limited to, the Accused Product.

200. Klipsch and Voxx International have also infringed the D'068 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'068 patent.

201. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'068 patent throughout the United States including here in the District of Delaware.

202. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'068 patent.

203. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'068 patent.

COUNT XII
INFRINGEMENT OF THE D'897 PATENT

204. Harman repeats and re-alleges paragraphs 1-203 as if fully set forth herein.

205. US Patent No. D1,012,897 was duly and lawfully issued by the United States Patent and Trademark Office on January 30, 2024.

206. Harman is the owner of the entire right, title, and interest in the D'897 patent and possesses all rights of recover under the patent, including the right to recover damages.

207. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, January 30, 2024.

208. Klipsch and Voxx International have been and are now infringing Harman's D'897 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

209. Attached as Appendix L is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'897 patent to an ordinary observer.

210. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'897 patent, including, but not limited to, the Accused Product.

211. Klipsch and Voxx International have also infringed the D'897 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'897 patent.

212. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'897 patent throughout the United States including here in the District of Delaware.

213. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'897 patent.

214. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'897 patent.

COUNT XIII
INFRINGEMENT OF THE D'706 PATENT

215. Harman repeats and re-alleges paragraphs 1-214 as if fully set forth herein.

216. US Patent No. D1,030,706 was duly and lawfully issued by the United States Patent and Trademark Office on June 11, 2024.

217. Harman is the owner of the entire right, title, and interest in the D'706 patent and possesses all rights of recover under the patent, including the right to recover damages.

218. Klipsch and Voxx International have had actual or constructive notice of their infringing activity since, at least, June 11, 2024.

219. Klipsch and Voxx International have been and are now infringing Harman's D'706 patent in violation of 35 U.S.C. § 217 by importing, making, using, selling, and offering to sell products embodying Harman's patent design.

220. Attached as Appendix M is a chart showing how the Accused Product appears substantially the same as the claimed design of the D'706 patent to an ordinary observer.

221. Klipsch and Voxx International have undertaken infringing acts including at least importing, making, using, selling, and/or offering to sell products covered by the D'706 patent, including, but not limited to, the Accused Product.

222. Klipsch and Voxx International have also infringed the D'706 patent by actively and knowingly inducing others to make, use, sell, offer for sale, and/or import into the United States products, including at least the Accused Product, that infringe the D'706 patent.

223. Upon information and belief, Klipsch and Voxx International have sold and made offers to sell and continue to sell and make offers to sell products infringing the D'706 patent throughout the United States including here in the District of Delaware.

224. Upon information and belief, Defendants' products were copied from Harman's JBL products, certain models of which are covered by the Asserted Patents. After a reasonable opportunity for further investigation or discovery, it is likely that the evidence will show that Klipsch and Voxx International have willfully and deliberately continued to undertake infringing activities with the knowledge that they do not have the right to use any part of the design claimed in the D'706 patent.

225. Harman has suffered and will continue to suffer damage as a direct and proximate result of Defendants' infringement of the D'706 patent.

PRAYER FOR RELIEF

WHEREFORE, Harman requests the following relief:

(a) A judgment that the claimed design of each of the Asserted Patents has been infringed by Defendants;

(b) A judgment against Defendants for Defendants' total profits of any article of manufacture to which the claimed design of any of the Asserted Patents has been applied as a result of Defendants' infringement of the Asserted Patents in an amount to be determined at trial as provided under 35 U.S.C. § 289 and for money damages sustained as a result of Defendants' infringement of the Asserted Patents in an amount to be determined at trial as provided under 35 U.S.C. § 284, whichever is greater;

(c) An accounting of Defendants' profits pursuant to 35 U.S.C. § 289;

(d) A finding of the case to be exceptional under 35 U.S.C. § 285, and an award of costs and reasonable attorneys' fees in this action;

(a) An award of pre- and post-judgment interest on the damages caused by Defendants' infringing activities; and

(b) Such further and other relief as this Court may deem just and proper.

DEMAND FOR JURY TRIAL

Harman hereby requests a trial by jury on all issues so triable in accordance with Rule 38 of the Federal Rules of Civil Procedure.

Dated: December 24, 2024

Respectfully submitted,

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