

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

LIGHT TRANSFORMATION
TECHNOLOGIES LLC

v.

Civil Action No. _____

ALLIANCE ELECTRONICS CORPORATION
d/b/a KHATOD USA;
FRAEN S.R.L.;
KHATOD OPTOELECTRONIC S.R.L.;
LEDIL OY; AND
POLYMER OPTICS LIMITED

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement in which Light Transformation Technologies LLC submits this Complaint against Alliance Electronics Corporation d/b/a Khatod USA; Fraen S.r.l.; Khatod Optoelectronic S.r.l.; Ledil Oy and Polymer Optics Limited (collectively "Defendants").

PARTIES

1. Light Transformation Technologies LLC ("LTT" or "Plaintiff") is a Texas limited liability company with a place of business at 6136 Frisco Square Blvd., 4th Floor, Frisco, TX. 75034.

2. On information and belief, Alliance Electronics Corporation d/b/a Khatod USA ("Khatod USA") is a Delaware corporation with a place of business at 1033 Lenape Rd., West Chester, Pennsylvania 19382. Khatod USA may be served via its president Gerd Wiedmer at 1033 Lenape Rd. West Chester, Pennsylvania 19382.

3. On information and belief, Fraen S.r.l. (“Fraen”) is a Società a Responsabilità Limitata, or Private Limited Company, organized and existing under the laws of Italy with its principal place of business at Marco Angelini, Via Stelvio, 12, Settimo M. (MI) Italy. Fraen may be served with process pursuant to the Hague Convention on Service Abroad by mailing duplicate copies of the summons and complaint to the Central Authority designated for receiving service: L'Ufficio unico degli ufficiali giudiziari presso la corte d'appello di Roma, Viale Giulio Cesare, 52, 00192 Roma, Italy.

4. On information and belief, Khatod Optoelectronic S.r.l. (“Khatod”) is a Società a Responsabilità Limitata, or Private Limited Company, organized and existing under the laws of Italy with its principal place of business at Viamonfalcone, 41 – 20092 Cinisello Balsamo (Milan), Italy. Khatod may be served with process pursuant to the Hague Convention on Service Abroad by mailing duplicate copies of the summons and complaint to the Central Authority designated for receiving service: L'Ufficio unico degli ufficiali giudiziari presso la corte d'appello di Roma, Viale Giulio Cesare, 52, 00192 Roma, Italy.

5. On information and belief, Ledil Oy (“Ledil”) is Osakeyhtiö, or Limited Company organized and existing under the laws of Finland with its principal place of business at Tehdaskatu 13, 24100 Salo, Finland. Ledil may be served with process pursuant to the Hague Convention on Service Abroad by mailing duplicate copies of the summons and complaint to the Central Authority designated for receiving service: Ministry of Justice, P.O. Box 25, FIN-00023 Government, Finland.

6. On information and belief, Polymer Optics Limited (“Polymer”) is a private company limited by shares organized and existing under the laws of the United Kingdom with its principal place of business at 6, Kiln Ride, Wokingham, Berkshire, RG40 3JL England. Polymer

may be served with process pursuant to the Hague Convention on Service Abroad by mailing duplicate copies of the summons and complaint to the Central Authority designated for receiving service: The Senior Master, The Foreign Process Department, Royal Courts of Justice, Strand, London WC2A 2LL England.

JURISDICTION AND VENUE

7. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a). On information and belief, Defendants are subject to this Court's specific and general personal jurisdiction, pursuant to due process and/or the Texas Long Arm Statute, due at least to their substantial business in this forum, including at least a portion of the infringements alleged herein. On information and belief, within this district Defendants, directly and/or through intermediaries, have advertised (including through websites), offered to sell, sold and/or distributed infringing products, and/or have induced the sale and use of infringing products. Further, on information and belief, Defendants are subject to the Court's general jurisdiction, including from regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas.

8. Venue is proper in this district under 28 U.S.C. §§ 1391(b), 1391(c), 1391(d) and 1400(b). On information and belief, from and within this Judicial District each Defendant has committed at least a portion of the infringements at issue in this case. Without limitation, within this district Defendants directly and/or through intermediaries, have advertised (including through websites), offered to sell, sold and/or distributed infringing products, and/or have induced the sale and use of infringing products.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 6,543,911

9. LTT is the exclusive licensee under United States Patent No. 6,543,911 (“the ‘911 Patent’”) entitled “Highly Efficient Luminaire Having Optical Transformer Providing Precalculated Angular Intensity Distribution and Method Therefore.” The ‘911 Patent was duly and legally issued on April 8, 2003.

10. As exclusive licensee, LTT holds all substantial rights in and to the ‘911 Patent, including, without limitation, the exclusive right and license to make, have made, use, import, offer to sell, and sell products or services covered by the ‘911 Patent, the exclusive right to grant sublicenses, to sue for and collect past, present and future damages, and the exclusive right to seek and obtain injunctive relief or any other relief for infringement of the ‘911 Patent.

11. On information and belief, Defendant Khatod has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘911 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by actions comprising making, using, selling, offering for sale, and/or importing into the United States lenses for use with various manufacturers’ light emitting diodes (“LEDs”), including, without limitation, the model KEPL116906, KEPL116906_NCH, PLN19306, PL59706, PLN506306, KEPL119606, KEPL1196/01, KEPL1196/02, KESQ19706, KEPL115406, PL119806, PL119906_LDX, PL26606, PL25606, KEPL19706, KEPL19706_k2, KEPL118306, PL26806, KEPL2206, PL02706, PL30606, KEPL30306, PL30306, KESQ19906, KEPL19906, PL19906, PL27106, PL27006, KESQ116906, PL124306, PL124406, PL24506, PL267A06, PL257A06, KEPL19806, KEPL19806P9, PL19806, PL26906, PL02806, PL30706, PL123206, PL123106, PLVG125606, PLVG126606, PL123006, PLVG126806, PL123506, PLE114506, PLE119806, PLE119906, PL06706, PL05706, PL06806 and/or PL09706 single

lens devices; model PL114306_NCH, PL60006NCH1, PL35006RV, PL35006NK, PL35006TL, PL114306, PL60006, PL60006IL, PL60406, PL35A06RV, PL3506RV, PL35306NK, PL114306, PL35106NK, PL60106, PL123706, PLVG135006NK and/or PLE114306 triple lens devices; and/or the model PL50006NCH1, PL50706, PL50006, PL50106 and/or PL123806 quad lens devices. Khatod is thus liable for infringement of the '911 Patent pursuant to 35 U.S.C. §271.

12. On information and belief, Defendant Khatod USA has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the '911 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by actions comprising using, selling, offering for sale, and importing into the United States lenses for use with various manufacturers' LEDs, including, without limitation, the infringing products referenced in the preceding paragraph. Khatod USA is thus liable for infringement of the '911 Patent pursuant to 35 U.S.C. § 271.

13. On information and belief, Fraen has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the '911 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by actions comprising making, using, selling, offering for sale, and importing into the United States lenses for use with various manufacturers' LEDs, including, without limitation, the FBL Series Lens, FC Series Lenses, FC3 Series Tri-Lens for Cree XLamp 7090 XR and XR-E LEDs, FCG Lens Series for Cree XLamp 7090 XR and XR-E LEDs, FCT3 Series Tri-Lens for Cree XLamp 7090 XR and XR-E LEDs, FDG Series Lenses for Osram Golden Dragon LEDs, FHS Asymmetric Series Lenses, FHS Series Lenses, FHS Series Lenses for Luxeon I, III and V STAR and Emitter, FHS Series Lenses for Luxeon K2 LED, FLP Flat-top Series Lenses for Luxeon K2 LEDs, FNP Lens Series for Nichia NS6x083T LEDs, FS3 Series Lenses for Seoul

Semiconductor Z-Power P3 LEDs, FSG Lens Series for Seoul Semiconductor Z-Power P4 LEDs, FSG Series Lenses for Seoul Semiconductor Z- Power P3 LEDs, FSP Series Lenses for Seoul Semiconductor Z- Power P4 LEDs, and/or FT3 Series Tri-Lenses model optics. Fraen is thus liable for infringement of the '911 Patent pursuant to 35 U.S.C. § 271.

14. On information and belief, Defendant Ledil has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the '911 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by actions comprising making, using, selling, offering for sale, and importing into the United States lenses designed for use with various manufacturers' LEDs, including, without limitation, the Ledil Oy LC-1-RS, LD-1-RS, LE-1-RS, LO-1-RS, LR-1-RS, LZ-1-RS, CRS-RS, NIS083-RS, OSS-RS, K2S-RS, CXP-RS, RES-RS, LN2-RS, LXP-RS, NIS036-RS and/or Iris model lenses. Defendant Ledil is thus liable for infringement of the '911 Patent pursuant to 35 U.S.C. § 271.

15. On information and belief, Defendant Polymer has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the '911 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by actions comprising making, using, selling, offering for sale, and importing into the United States secondary optics designed for use with various manufacturers' LEDs, including, without limitation, the Polymer part nos. 120, 122, 129 and 170 model optics. Defendant Polymer is thus liable for infringement of the '911 Patent pursuant to 35 U.S.C. § 271.

16. Upon information and belief, Defendants have, at all relevant times, been aware of the '911 Patent, and their infringement has been willful and objectively reckless, justifying the

award of treble damages under 35 U.S.C. § 284, and making this an exceptional case which entitles LTT to an award of attorneys fees under 35 U.S.C. § 285.

17. As a result of Defendants' infringing conduct, Defendants have damaged LTT. Defendants are liable to LTT in an amount that adequately compensates LTT for their infringement, which, by law, can be no less than a reasonable royalty.

18. As a consequence of Defendants' infringement, LTT has been irreparably damaged and such damage will continue without the issuance of an injunction from this Court.

19. On information and belief, any marking requirements of 35 U.S.C. § 287 have been satisfied.

PRAYER FOR RELIEF

WHEREFORE, LTT respectfully requests that this Court enter:

1. A judgment in favor of LTT that Defendants have infringed, directly, jointly, and/or indirectly, by way of inducing and/or contributing to the infringement of the '911 Patent;

2. A judgment finding that such infringement by Defendants was willful, including because at all relevant times Defendants have been aware of the '911 Patent, and their infringement has been willful and objectively reckless;

3. A permanent injunction enjoining Defendants, and their officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the infringement of the '911 Patent;

4. A judgment and order requiring Defendants to pay LTT its damages, costs, expenses, and prejudgment and post-judgment interest for Defendants' infringement of the '911 Patent as provided under 35 U.S.C. § 284;

5. An award to LTT for enhanced damages as provided under 35 U.S.C. § 284;
6. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to LTT its reasonable attorneys' fees; and
7. Any and all other relief to which LTT may show itself to be entitled.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

November 11, 2009

Respectfully submitted,

LIGHT TRANSFORMATION TECHNOLOGIES LLC

By: /s/ Henry Pogorzelski

Henry M. Pogorzelski

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ATTORNEYS FOR PLAINTIFF

LIGHT TRANSFORMATION TECHNOLOGIES LLC

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS
LIGHT TRANSFORMATION TECHNOLOGIES LLC

(b) County of Residence of First Listed Plaintiff Collin, TX
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
Henry M. Pogorzelski
Collins, Edmonds & Pogorzelski PLLC
709 Sabine St., Houston, TX 77007 281-501-3447

DEFENDANTS
ALLIANCE ELECTRONICS CORP. d/b/a KHATOD USA; FRAEN S.R.L.; KHATOD OPTOELECTRONIC S.R.L.; LEDIL OY; POLYMER OPTICS LIMITED

County of Residence of First Listed Defendant Chester, PA
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
		IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)
 1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify)
 6 Multidistrict Litigation
 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
35 U.S.C. § 271

Brief description of cause:
INFRINGEMENT OF U.S. PATENT NO. 6,543,911

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **DEMANDS** CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE Not yet assigned DOCKET NUMBER 2:09-cv-354

DATE 11/11/2009 SIGNATURE OF ATTORNEY OF RECORD Henry M. Pogorzelski

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RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____